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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL BOARD

IN RE: BOARD MEETING
HEARD BEFORE: RICHARD D. LANGFORD
CHAIR OF THE AIR POLLUTION CONTROL BOARD

NOVEMBER 8, 2018
RICHMOND CONVENTION CENTER
403 NORTH 3RD STREET
RICHMOND, VIRGINIA
9:30 A.M.

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5 Samuel A. Bleicher, Vice Chair

6 William H. Ferguson, Member

7 Rebecca R. Rubin, Member

8 Nicole M. Rovner, Member

9 Ignacia S. Moreno, Member

10
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12 David K. Paylor, Direct of Department of Environmental
13 Quality

14 Michael Dowd, Director of Air and Renewable Energy
15 Division

16 Patrick Corbett, Office of Air Permit Programs

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PROCEEDINGS

MR. LANGFORD: Good morning. I'm calling the meeting of the State Air Pollution Control Board to order.

Before we begin, I would like to ask everyone to silence his or her cell phone, including me. Now, I think I'd like the Board Members sitting on the stage to introduce themselves beginning on my left.

MS. ROVNER: I'm Nicki Rovner, and I live here in the City of Richmond.

MS. RUBIN: Rebecca Rubin, Fredericksburg, Virginia.

MR. FERGUSON: Good morning. William H. Ferguson from Newport News, Virginia.

MR. LANGFORD: I am Richard Langford from Blacksburg, Virginia.

MR. BLEICHER: Sam Bleicher from Winchester, Virginia.

1 MS. MORENO: Ignacia Moreno from McClean,
2 Virginia.

3
4 MR. LANGFORD: Thank you. Also on the
5 stage today is David Paylor, Director of Environmental
6 Quality, and the Board legal counsel, Matthew Gooch,
7 who is an Assistant Attorney General.

8 The item on today's agenda is the minor
9 resource review permit for the Atlantic Coast Pipeline,
10 LLC, Buckingham Compressor Station, which you may see
11 abbreviated today as "BCS" for Buckingham Compressor
12 Station.

13 It has a registration number, 21599, for
14 the record. Today first, Mr. Michael Dowd and
15 Mr. Patrick Corbett will present a brief summary for
16 the draft minor resource review permit and a summary of
17 the public comments received on the draft permit.

18 I will remind the public, that the
19 comment period was extended and closed on
20 September 21st. It started on August 8th.

21 After the staff presentations, the Board
22 will provide an opportunity for those who commented
23 during that public comment period that ended on
24 September 21st to respond to the summary of the public
25 comment period presented to the Board by the staff.

1 Before we begin, I would like to advise
2 everyone, first, if you made oral comments at the
3 public hearing or submitted written comments to the
4 Department during the comment period from August 8th
5 through September 21st, those comments have been
6 recorded and made part of the public comment file.

7 Detailed information on the draft minor
8 resource review permit, have been provided to the Board
9 and the Chairman of the Board chaired -- that's me -- I
10 chaired a public hearing in Buckingham on the draft
11 permit.

12 Today's session is not a new public
13 comment period. Only those persons who made oral or
14 written comments to the Department between August 8th
15 and September 21st may speak today.

16 Each person who commented is allowed up
17 to three minutes to respond to the summary of the prior
18 public comment period.

19 And that's the main purpose of the
20 meeting today, is -- in two-fold. One, is so that
21 people can make sure that the full Board has heard
22 their comments.

23 But more importantly, for the public to
24 -- those people who respond -- who made comments to
25 respond to the response to comments that the staff

1 made, give their thoughts about the answer that the
2 staff presented.

3 The persons who commented and attend the
4 Board meeting, may pool their minutes to allow for a
5 single presentation to the Board that does not exceed
6 the time limitation of 3 minutes multiplied by number
7 of persons pooling minutes for a total of 15 minutes,
8 whichever is less.

9 So if you can pool minutes, just let the
10 staff know, but the presentation will be limited to 15
11 regardless of the number of people that you pool.

12 The purpose of today's proceeding is not
13 to introduce new information or repeat comments that
14 were already made.

15 Rather, the main purpose of the meeting
16 is to respond to the Department's summary of the prior
17 proceedings.

18 Accordingly, we ask that you refrain from
19 customarily repeating comments previously made at the
20 public comment period.

21 In addition, if you hear a comment made
22 by a speaker today, it's not necessary to repeat those
23 comments.

24 In the alternative, if you share the view
25 of a particular speaker, you may if you're called upon,

1 come to the podium, state your name and the name of the
2 speaker whose view that you share.

3 Finally, conduct that interferes with an
4 orderly, efficient Board meeting or interferes with the
5 rights of other members of the public speaking to the
6 Board is prohibited and could result in removal from
7 the meeting.

8 Therefore, we ask that you refrain from
9 making comments while others are speaking or
10 interfering with the meeting.

11 And should you choose to speak, that
12 after you finish speaking, you quietly return to your
13 seat once you're allotted time has expired.

14 So that concludes -- in order to keep
15 things moving, let's not have any oral comment from the
16 public in response to the comments that are made, hand
17 clapping, that kind of thing.

18 It will just slow the process down and
19 take more time to get everybody's time in, so we'll ask
20 that you quietly listen to the comments.

21 Mrs. Berndt will be calling the names of
22 the speakers. She is going to call out several names
23 at a time and ask -- when we do that -- when your name
24 is called, you come down to the podium in the front of
25 the room.

1 There's some reserve seating where you
2 can wait for your turn to speak, so that's kind of a
3 little cue so we don't have to wait for people to walk
4 down.

5 Ms. Berndt will call on elected officials
6 to speak first, then Ms. Berndt will call those who
7 have registered to speak alternating between persons in
8 favor of or opposed to the permit or possible. All
9 speakers are limited to three minutes unless Ms. Brandt
10 advises the Board that they're speaking to pooled
11 minutes.

12 When you come to the podium, please state
13 your name for the record. If you're not at the podium
14 when your allotted time has expired -- I'm sorry -- if
15 you still are at the podium when your allotted time has
16 expired, we ask that you leave the podium and return to
17 your seat.

18 If you do not leave the podium, we'll
19 provide a single warning, and if you refuse to leave
20 the podium after the warning, we will ask that you be
21 removed from the meeting.

22 We'll take a break this morning after
23 about an hour and a half or so, and then we'll -- if we
24 are still here, we'll take a break for lunch and an
25 afternoon break as well.

Now, I call Mr. Dowd of the Department of Environmental Quality.

MR. DOWD: Good afternoon, Mr. Chairman, Ladies and Gentlemen of the Board. I'm Michael Dowd, Director of the Air and Renewable Energy of the Department of Environmental Quantity.

I am appearing before the today and tomorrow to present for the Board's consideration a proposed permit for the Buckingham County Compressor Station.

The Buckingham County Compressor Station project is proposed by Dominion Energy as a component of the Atlantic Coast Pipeline.

This morning, I and my colleague, Patrick Corbett, will briefly describe the project providing some background and then summarize the public comments DEQ received on the proposed permit. Thank you.

After our presentation this morning, the remainder of today will be devoted to oral comments from the public and tomorrow's meeting, Pat and I will provide a detailed presentation on the draft permit and answer the Board's questions.

The Buckingham County Compressor Station is one of three compressor stations of the Atlantic

1 Coast Pipeline. It is the only ACP compressor station
2 that Virginia and will be the most stringently
3 regulated of the three.

4 It uses 4 natural gas combustion turbines
5 with a total of approximately 55,000 horse power to
6 pump gas through the pipeline.

7 The proposed compressor station's
8 classified as a minor stationary source under Virginia
9 permit regulations, but for all intents and purposes,
10 DEQ treated it as a major source in the permit process
11 to assure the protection of human health. More about
12 that later.

13 The next slide. This is an artist's
14 rendering of the compressor station from the ACP
15 website. It is located in Buckingham County on the
16 north side of Route 56, 5.1 miles northwest of the
17 intersection of Route 60 and Route 56.

18 It is also important to know that that
19 proposed compressor station is located where the
20 Atlantic Coast Pipeline will intersect the existing
21 Transco Natural Gas Pipeline, a major north-south
22 natural gas line.

23 Before we discuss the proposed permit, it
24 is important to put DEQ's permit process into context
25 and describe how it is intended to function with the

1 overall framework with the Clean Air Act and the State
2 Air Pollution Control law.

3 The Clean Air Act envisioned a
4 Federal-state partnership. First, EPA sets
5 health-based national air quality standards commonly
6 referred as the NAAQS, then it is the State's role to
7 achieve and protect the NAAQS.

8 The State Air Pollution Control Board and
9 DEQ implemented NAAQS in Virginia under the authority
10 of the State Air Pollution Control Law.

11 Now, the Clean Air Act requires EPA to
12 set the NAAQS at a level to protect public health in an
13 adequate margin of safety based on evaluation of the
14 most current health science.

15 In addition, EPA must set the NAAQS at a
16 level to protect sensitive population. EPA established
17 NAAQS for what are called criteria pollutants.

18 And these are Ozone, Nitrogen Dioxide,
19 Sulfur Dioxide, Carbon monoxide, Lead and two forms of
20 particulate matter, PM10 and PM2.5.

21 Now, the Clean Air Act requires EPA to
22 review and revise the NAAQS every five years based on
23 the latest health science.

24 DEQ's Air Permit Program under the
25 Standard Pollution Control Law is essential to

1 protecting the national ambient air quality standards
2 and protecting human health.

3 So what is an air permit? Well, it is
4 essentially a legal document that allows the release of
5 air pollutants from a source in a manner that protects
6 public health and compliance with the Clean Air Act,
7 the State Air Pollution Control Law and the Board's own
8 Air Pollution Control Regulation.

9 Virginia air permits allow for the
10 construction and operation of air polluting sources
11 only so long as they meet all applicable air pollution
12 and health-based requirements, and an air permit cannot
13 be issued until all local zoning and other requirements
14 are met.

15 Finally, a source could not begin
16 construction until the air permit had been issued.
17 Under the Board's Air Permit Regulations, sources are
18 determined to be either major or minor based on their
19 potential to emit pollutants.

20 Major sources generally met over 100 tons
21 per year of a single-criteria pollutant. The
22 Buckingham Compressor Station is considered to be a
23 minor facility under the Board regulations based on its
24 potential to emit.

25 The compressor station's highest

1 projected criteria pollutant emissions are 43 tons per
2 year of PM10 and PM2.5, which is less than half the
3 major source emissions threshold.

4 However, although the Buckingham
5 Compressor Station is technically considered a minor
6 source, the DEQ has processed this permit application
7 as if it were a major source in nearly all respects to
8 assure the utmost minimization of emissions and
9 greatest protection of human health.

10 The protection of public health and the
11 environment are DEQ's most important goals. All
12 Virginia Air Permits require state of the art pollution
13 control and assurance the source will not cause any
14 violation of health-based air quality standards such as
15 the NAAQS or state air toxicity standards.

16 In addition, public participation is
17 required for all permits of significant public interest
18 such as the Buckingham Compressor Station.

19 The state of the art pollution control
20 all permitted sources must meet what is known as best
21 available control technology or BACT.

22 Under BACT, emission levels in a permit
23 are based on the review of the maximum reductions
24 achievable for a particular type of source.

25 DEQ conducted a thorough BACT review of

1 the Buckingham Compressor Station that we will describe
2 in greater detail later.

3 In addition to the application of best
4 available control technology, all air permits must
5 assure the source will not cause any violation of
6 health-based air quality standards.

7 In this case, computer modeling was done
8 using worst-case scenarios for each pollutant. The air
9 model it shows emissions from the Buckingham Compressor
10 Station will not cause an exceedance of any EPA
11 health-based NAAQS and will not violate any state air
12 toxic standards for formaldehyde or hexane.

13 As we will discuss in greater detail in
14 our presentation tomorrow, the bottom line here is that
15 the Buckingham Compressor Station will be the most
16 stringently-regulated compressor station in the
17 country, and the public's health will be protected.

18 I will now turn over the remainder of the
19 presentation this morning to Pat Corbett.

20
21 MR. CORBETT: Thank you, Mike. Good
22 morning. As Mike noted, I'm Pat Corbett. I work at
23 the Office of Air Permitting Programs, central office,
24 DEQ.

25 I'm here to give you some details about

1 the permit application process, our review process and
2 then to briefly summarize the comments that we received
3 during the comment period.

4 The application was received by the DEQ
5 in 2015. The FERC process requires early submittal of
6 applications for types of -- these types of sources,
7 and after -- at that point, the application essentially
8 sat dormant for about two years.

9 Very little work was done on it. The
10 local Buckingham County Board of Supervisors approved
11 the site in January of 2017, and DEQ received the local
12 government body approval in February of 2017.

13 In August of 2017, the application was
14 substantially updated. The initial application had a
15 vastly different set of equipment including the ability
16 for the station to generate its own power on the site
17 and not be connected to the grid.

18 In 2017, that plan was changed. There
19 was some other minor changes alterations to the
20 application, but that was the largest one.

21 Then again, in May of 2018, after a lot
22 of back and forth, the DEQ asking multiple questions of
23 the source, they resubmitted an updated, clarified
24 application that included all of the requested changes
25 and clarifications that we had made during the process.

1 And then we go into drafting the permit.
2 That draft was completed in August of 2018. The
3 emissions unit, the main emission units at the site are
4 four natural gas compression turbines.

5 They're natural gas fired. They put
6 energy into the systems and pump the gas down. You can
7 read the various sizes.

8 They're turbines of various sizes to
9 enable response to different demands of natural gas
10 down the line.

11 Another emission unit is the venting of
12 natural gas. This occurs during a normal operation of
13 a natural gas pipeline and the station.

14 There are leaks from valves and fittings,
15 there are vents, maintenance vents, that require
16 venting of natural gas, so those are lumped into one
17 big unit.

18 And there's also an emergency generator
19 that's natural gas fired. That will provide power to
20 the facility in the event the grid goes bad, so that's
21 the only time that -- that unit will operate.

22 There's also small -- one small boiler,
23 natural gas-fired boiler that prevent -- that provides
24 space heat, and then four small natural gas line
25 heaters and two small storage tanks, various liquids

1 that get accumulated that drop out of the natural gas.

2 Here is also an ammonia storage tank.

3 Ammonia is a regulated pollutant, but that storage tank
4 is there to provide ammonia for the control system that
5 is required.

6 So the overview of the air permit process
7 is we receive an application. The first thing we need
8 to do is we need to look at the types and amounts of
9 pollutants that are emitted.

10 We're trying to determine which of the
11 various permit programs could apply to a given
12 facility. There are generally three permit programs.

13 One major one is major new source review.
14 That includes non-attainment and -- for areas that are
15 attainment called prevention of significant
16 deterioration duration or PSD.

17 And then the other one is a minor
18 resource review permit. Often referred to as Article
19 6.

20 Article 6 uses a test, as Mike mentioned.
21 The major resource review permit program uses a
22 potential to emit.

23 The Article 6 permit program uses
24 uncontrolled emission rate. That are UER. That's how
25 we often refer to it.

1 That is the maximum capacity of an
2 emission unit to emit on a short-term basis, on a
3 one-hour basis, and then we calculate that out to
4 8,760 hours per year.

5 So we are looking at the short-term,
6 highest amount, and then we imagine that that goes for
7 every hour of every year to get the maximum emissions
8 to compare that to exemption thresholds.

9 And then any pollutant that has an
10 uncontrolled emission rate that's less than the
11 exemption threshold is exempt in the review, and that
12 pollutant stops there.

13 Then we determine what other Federal and
14 State regulations apply. There are a multitude of
15 regulations for Air Quality Control, over 700.

16 They involve new source performance
17 standards or NSPS; maximum achievable control
18 technology or MACT; and we have to look through these
19 various rules to determine which ones can apply as to a
20 given source.

21 For pollutants that have emissions that
22 are over the exemption threshold, we then apply the
23 best available control technology or BACT, and then we
24 do an air quality analysis to ensure that the public
25 health is protected.

1 Once we have determined what emission
2 limits and various operating limits we need to ensure
3 that BACT is applied and then the air quality is
4 maintained, we have to require monitoring,
5 recordkeeping and reporting sufficient so that we know
6 whether or not a source is in compliance.

7 Then we -- during that process, we are
8 drafting the various conditions what we need, and we
9 hold public comment, if required. The regulations
10 outline when we are required to hold public comment.

11 And whenever we hold public comment, we
12 hold a public hearing. As Mike had mentioned, the
13 Buckingham Compressor Station was -- the public comment
14 was required because of the significant public
15 interest.

16 Here's a list of the pollutants that were
17 subject to permitting for the Buckingham Compressor
18 Station: Nitrogen oxides or NOx, as it's commonly
19 referred to; carbon monoxide or CO; volatile organic
20 compound or VOC; particulate matter having an
21 aerodynamic diameter of 10 microns or less. That's --
22 we refer to that as PM10; particulate matter having an
23 aerodynamic diameter of 2.5 microns or less. That's
24 PM2.5.

25 They both, you know, are part of the

1 overarching particulate matter family, and then the
2 other -- the same that are subject to permitting were
3 formaldehyde and hexane.

4 So just a brief summary of the draft
5 permit requirements. When we apply BACT, the
6 requirements for the compressor turbine were the lowest
7 that we can find for NOx, CO, VOC. They were the
8 lowest permit limits that we could find in the country.

9 The permit also has the most stringent
10 limit requirements on venting of natural gas that we
11 could find.

12 There are no other compressor turbines
13 other than the other two compressor stations related to
14 the ACP that have permits that require controls for NOx
15 and CO for compression turbines.

16 And then it's important to note that this
17 permit would set a national standard that when sources
18 are going through major new source review and they're
19 doing their BACT analysis, other states have to look
20 and find the most stringent requirements in the
21 country.

22 And would have to mirror those or, you
23 know, create sufficient justification to indicate why
24 those aren't required, so this would be something that
25 would require every state in the country to look at

1 this permit.

2 All right. So just some details about
3 the public comment period. It started on August 8th.
4 We held a public information briefing where we provided
5 a brief presentation about the station and answered
6 questions from the public. That occurred on
7 August 16th at Buckingham County.

8 A public hearing was also held in
9 Buckingham County on September 11th, as Richard had
10 noted. The public comments were considered until
11 September 21st.

12 So at the public hearing, 191 persons
13 attended, and we received oral comments from 60 people.

14 During the entire public comment period
15 with written comments both submitted electronically and
16 via postal mail, we received over 5,300 comments.
17 Various elected officials commented. The applicant
18 commented as well as various environmental groups and
19 many people in the public.

20 So the State Air Pollution Control Board
21 reviewed -- the permits only go to review if they meet
22 certain criteria. This particular permit was sent to
23 the Board by Director Paylor without the need for the
24 public to request state -- the Board to review the
25 permit. Sorry about that.

1 So the Board held -- this is the meeting
2 that, you know, on the 8th and 9th that went to fulfill
3 the requirement for you to consider this permit.

4 All right. Summation of the comments.
5 As I noted, we received 5,300 comments. This is a
6 brief summary and overview. Many of the comments
7 overlapped, so it's not going to be every single
8 comment that we received.

9 The main issues raised were that the
10 limits that we wrote didn't reflect best available
11 control technology, that this facility should have
12 required to use electric turbines, that the air quality
13 impacts are undetermined.

14 That we didn't determine them correctly
15 or they're too high, that a risk analysis should have
16 been required, that the NAAQS and the significant --
17 the NAAQS, National Ambient Air Quality Standard and
18 the Significant Air Quality Standard, or SAAC, for
19 toxics are not protected.

20 That any increase is unacceptable, and
21 that the monitoring that we put in the permit is
22 inadequate. People expressed opposition to fracked
23 natural gas and fossil fuel use generally.

24 There were many comments on environmental
25 justice issues relating to the site, and other comments

1 related to site suitability and our consideration of
2 site suitability in our review.

3 And then there were also various comments
4 supporting the facility, so more specifically, comments
5 on the draft permit, there were comments that indicated
6 that the conditions weren't enforceable.

7 As I noted earlier, we're required to
8 have monitoring, recordkeeping sufficient to assure
9 compliance, and the comment was was that our
10 requirements didn't make the permit enforceable.

11 Comments also stated that our reliance on
12 vendor warranties or the fact that a vendor didn't
13 warranty some emission, makes it inappropriate.

14 Comments requested that we use NOx
15 Continuous Emissions Monitoring Systems or CEMS, and
16 also to reduce the leak repair timeframes that are
17 contained in the permit.

18 And then other comments requested
19 clarification such as the limit standard, the
20 concentration correction approach that we used, and
21 whether or not certain operational standards or
22 scenarios were prohibited.

23 Comments relating to BACT, there were two
24 main ones. One is that the NOx limits were not
25 restrictive enough, that we should have used lower PPM

1 or parts per million values, or shorter averaging
2 times.

3 And for all pollutants, electric turbines
4 were proposed as BACT by the commenters. Comments on
5 the air quality analysis were that the air quality
6 impacts were underestimated.

7 As part of our air quality analysis, we
8 utilized a background concentration that -- for the air
9 that's already there. That was not representative --
10 the one that we used was not representative of
11 Buckingham County.

12 The DEQ did not use the maximum or the
13 peak emissions in doing our air quality analysis, that
14 we needed to perform a comprehensive risk analysis
15 instead of the air quality analysis that we did, and
16 that we didn't analyze the nitrogen deposition in the
17 Chesapeake Bay.

18 Comments on environmental justice. That
19 the Buckingham County Board of Supervisors, that their
20 determination was inappropriate because they didn't
21 consider the Union Hill community, that the site was
22 selected simply just because the Union Hill community
23 is a minority community.

24 That the site couldn't be approved
25 because of the Union Hill community and its history,

1 and the deferred process was flawed because the
2 community of Union Hill wasn't properly considered.

3 Many of the comments related to the
4 average population that was used in that review
5 process. Comments on site suitability that the DEQ
6 didn't consider under the Air Pollution Control Law,
7 1307E. There are four factors in determining site
8 suitability that are listed there. The comments
9 indicate that we didn't consider those.

10 That we needed to reject the site
11 entirely because of the disproportionate impact on the
12 Union Hill community. Again, that the population
13 density was understated.

14 And therefore, our site suitability
15 analysis was inappropriate, and that generally was no
16 economic benefit to the Atlantic Coast Pipeline
17 generally.

18 We also received comments in support that
19 there would be a variety of economic benefits from the
20 Atlantic Coast Pipeline including cheaper production
21 costs for manufacturing facilities, cheaper fuel costs
22 and energy costs to people in general.

23 And then cleaner fuels available and less
24 pollution from natural gas. You know, a source would
25 be able to switch from that, from a dirtier fuel to

1 natural gas.

2 And then comments in support also
3 indicate that the permit is very stringent, and it was
4 proper, our review was proper.

5 So that's a general overview in summary,
6 very high level obviously, and that ends the DEQ's
7 presentation.

8
9 MR. LANGFORD: Thank you, Mr. Corbett. I
10 will remind members of the Board there will be more
11 detailed discussion of the elements of the permit
12 including the limits and other things tomorrow.

13 But for now, are there any questions
14 either of Mr. Dowd or Mr. Corbett about what you've
15 seen today? Okay. Hearing none.

16 Did you have any other slides that you
17 want to put up, or should I just -- Okay. Reiterating
18 what I said earlier. People who comment today are
19 persons who commented during the public comment period
20 from August 8th to September 21st.

21 And speakers may have 3 minutes each or
22 they can pool time for those speakers for up to
23 15 minutes to speak.

24 Speakers in presentations may not provide
25 any new information. Any information upon which the

1 decision will be made was closed on the 21st of
2 September.

3 Now, I will turn to Ms. Berndt. You have
4 a microphone I believe. If you would take over.

5
6 MS. BERNDT: Yes, sir. I have a
7 microphone. We are going to call up several people,
8 there are seats at the front, one at a time.

9 And then you can jump up to speak, and I
10 will let you know if there is pooling of minutes.

11 I'm going to call the first three
12 speakers because they are already in those seats.

13 Senator Louise Lucas, Donnie Bryant, and
14 then Vivian Giles.

15
16 SENATOR LUCAS: Mr. Chairman and Members
17 of the Board, good morning. I am Louise Lucas, and I
18 have the high honor of representing the people of the
19 18th Senatorial District of the State of Virginia.

20 I thank you for the opportunity to appear
21 before you today regarding the air quality permit for
22 Buckingham Compressor Station.

23 In September, I submitted a letter to the
24 Department of Environmental Quality endorsing the
25 permit, and I would like to reaffirm that support for

1 you this morning.

2 My district stretches from Brunswick
3 County in the west and to the city of Portsmouth east.
4 This Atlantic Coast Pipeline will cross many of the
5 localities I have the privilege to serve, businesses --
6 many businesses, individuals and local governments
7 within the district also.

8 It will also do much to promote needed
9 economic development both in the cities and counties of
10 the 18th Senatorial District.

11 The Buckingham Compressor Station of
12 course is an essential part of the ACP project, but as
13 many other speakers have said or will say today,
14 Virginians do not want economic and energy progress to
15 come at the expense of the environment.

16 Our natural resource including our clean
17 air makes the Commonwealth a great place to live, work
18 and do business.

19 I certainly will not support any project
20 that will pose a threat to those resources, and I'm
21 sure the people of the 18th Senatorial District will
22 not either.

23 The DEQ showed thoroughness and
24 dedication in reviewing the projects involved and the
25 impacts, and the permit reflects that same dedication.

1 Its strict emissions limits should ensure
2 that the station operates in a way that is fully
3 protective of Virginia's air quality.

4 First, I understand that the requirements
5 of the permit are much more typical of those usually
6 imposed on larger facilities with much higher rates of
7 emission.

8 And in fact, the DEQ said back in August
9 that the standards in the permit were the most
10 stringent for any compressor station in the country.
11 That is a very powerful statement.

12 I also understand that the limits in the
13 draft Buckingham permit are 4 to 10 times more
14 stringent than limits in any other permits recently
15 issued for compressor stations in Virginia.

16 Those stringent limits apply to regulated
17 emissions ranging from nitrogen oxide to methane to
18 carbon monoxide.

19 And they will help ensure the Virginia
20 air permit healthy even as we open our State to new
21 resources or new sources of energy.

22 Finally, I'm impressed by the control
23 technology required by the draft permit. Here again,
24 the controls are much more typical of those required of
25 a much larger facility.

1 Dominion Energy fully accepts the terms
2 of the permit, and I believe that they will do a good
3 job operating the station in a safe and
4 environmentally-secure way.

5 The people of the 18th Senatorial
6 District deserve more and better job opportunities.
7 The localities are in desperate need of new tax
8 revenues, and the entire 18 district needs a new source
9 of natural gas.

10 The pipeline that now serves this area
11 are simply inadequate. The Buckingham Compressor
12 Station, in fact, the entire ACP project will go a
13 along way to provide these new opportunities and
14 revenue.

15 And do in large part to the strong permit
16 before you today, it will do so in a way that ensures
17 Virginia's air remains safe and clean.

18 I thank you again for the opportunity to
19 speak to you, and I respectfully urge that you approve
20 the permit.

21 MR. LANGFORD: Thank you, ma'am. Ms.
22 Berndt, would you remind me what signal we're going to
23 use when the time is up.

24
25 MS. BERNDT: When the elected officials

1 are done, they will -- you will hear the clock start
2 beeping when they reach their time.

3
4 MR. LANGFORD: All right. Thank you.

5
6 MR. BRYAN: Good morning Mr. Chairman,
7 Members of the Board. My name is Donnie Bryan, and I
8 have the pleasure of representing the people of
9 District 2 in Buckingham County, and I'm also the vice
10 chairman of the Board.

11 Thank you for the opportunity to appear
12 before you. The strict terms and conditions in the air
13 permit provide adequate assurance that the project can
14 be built and operate in ways that will protect our
15 county's natural resources and the health of our
16 citizens.

17 Buckingham County Board of Supervisors
18 believes that if you approve the permit before you
19 today, you would move a major energy project with great
20 potential to offer job opportunities, economic growth
21 and revenue to our county closer to reality.

22 I believe that many Buckingham residents
23 feel the same way I do and support both the compressor
24 station and air permit. That includes many residents
25 of the historic Union Hill community.

1 You will hear the technical details of
2 the air permit discussed by many other speakers today
3 and tomorrow, and I know that your time is very
4 limited.

5 I don't want to duplicate what's already
6 been said or will be said later in the hearing, but
7 from all the information available to the County Board,
8 we believe that the standards and the requirements in
9 the permit are extremely stringent and should be fully
10 protective of Buckingham County's natural resources and
11 the health and well-being of our citizens.

12 The strict emissions standards, the
13 advanced control equipment and procedures and the way
14 the station will be operated, all give me that
15 confidence. We are very pleased that Dominion Energy
16 has accepted the conditions of the permit.

17 Before we approved the special use permit
18 in 2017, the Board of Supervisors in the county made
19 every effort in our oversight of the compressor station
20 to ensure our permitting process addressed the issues
21 raised by our county citizens and communities,
22 acknowledged their concerns, incorporated their
23 viewpoints and used their input to shape the final
24 terms of the special use permit.

25 Responding to that citizen input, our

1 county placed 41 special conditions, an unprecedented
2 action in the special use permit. These conditions
3 addressed issues such as noise and dust during
4 construction, tree buffers, noise control during
5 station operations, lighting and environmental
6 requirements during operation of the unit.

7 Dominion Energy accepted all of these
8 conditions and both the Buckingham Planning Commission
9 and the Board of Supervisors approved the special use
10 permit.

11 Our Board was unanimous with one person
12 opposing -- or not opposing. Excuse me -- did not vote
13 because he is an employee of Dominion Power.

14 With the special use permit in place, in
15 addition to the proposed air permit before you today,
16 the County believes that the compressor station is
17 suitable for the site and will have minimal impacts on
18 any nearby residents, communities or areas.

19 We are also very impressed, and we
20 believe many of our county residents are, too, with the
21 efforts Dominion Energy has made to engage the
22 Buckingham community, especially historic Union Hill
23 just a short distance from the compressor station site.

24 The company's extensive discussions with
25 the residents of Union Hill have resulted in the

1 support package aimed at further ensuring the safety of
2 the project and launching new efforts to revitalize the
3 community.

4 We understand that the community support
5 package investment totals more than \$5.1 million. That
6 was published in today's Richmond Times.

7 On the public safety front, the support
8 package would greatly enhance our county's emergency
9 response capabilities including hiring new personnel
10 and acquiring new advanced equipment and creating a
11 designated channeled link solely to the Union Hill
12 community.

13 On the community development site, the
14 package under discussion would include enhancement for
15 wellness, education and economic development in Union
16 Hill.

17 The Buckingham Board and government also
18 believes our years of study of the project confirm that
19 it will have social and economic value to all our
20 county's communities.

21 For example, the residents of Buckingham
22 County all deserve better job opportunities. Dominion
23 Energy is totally committed to hiring 50 percent of the
24 workforce for the ACP including the Buckingham Station
25 through local trade unions.

1 That could provide employment for many --
2 for as many as 400 workers from Buckingham and nearby
3 counties. Excuse me.

4 The company is also working with the
5 Laborers International Union of North America and the
6 Virginia community college system to recruit and train
7 local workers for the project.

8 Finally, the Atlantic Coast Pipeline
9 project of which the compressor station is an essential
10 part, will help us bring good-paying jobs over the long
11 term to Buckingham County and to help us retain the
12 jobs and businesses we are already fortunate to have.

13 A tapoff, the ACP will carry natural gas
14 directly to our county's largest employer which is
15 Kyanite Mining Corporation.

16 The tap will provide new and expanded
17 supplies of natural gas to Kyanite. A very
18 energy-intensive operation.

19 And the tap will also make our county
20 more attractive to new industrial projects or prospects
21 that develop a reliable access to natural gas.

22 With these requirements, safeguards,
23 agreements and assurances in place including the permit
24 you are considering today, the Buckingham County Board
25 and government believe the compressor station will be a

1 big plus for all of our citizens.

2 I'm certain that many Buckingham
3 residents agree, so on behalf of Buckingham County
4 Board of Supervisors and our county government, I
5 respectfully urge you to approve the permit and allow
6 this most important project to move forward. Thank you
7 for your time.

8
9 MR. LANGFORD: Thank you, sir. Ms.
10 Berndt?

11
12 MS. BERNDT: Vivian Giles.

13
14 MS. GILES: Good morning. Thank you for
15 allowing myself as well to speak to you. My name is
16 Vivian Giles. I am the county attorney and county
17 administrator in Cumberland County.

18 Cumberland County sits just east of
19 Buckingham County, and it's contiguous, so like
20 Buckingham County, we would also be concerned with any
21 environmental impacts that the ACP project and in
22 particular, the Buckingham Compressor Station will
23 have.

24 However, I will share with the Board that
25 Cumberland County, and I also can tell you that our

1 other -- our colleagues in Virginia's Growth Alliance
2 regions -- parts of which Senator Lucas presents -- of
3 those counties being Buckingham, Prince Edward,
4 Nottoway, Brunswick, Lunenburg, Charlotte, Mecklenberg,
5 Greenville and the city of Emporia, whom I think you
6 will hear from later today, also share in our general
7 support of the ACP project.

8 Having said that, I also -- like Senator
9 Lucas said earlier, Cumberland County could not support
10 a project if it were a threat to our environment.
11 Again, especially considering the fact that Cumberland
12 is contiguous to Buckingham County.

13 However, we are comfortable that
14 Dominion, the applicant, Dominion Energy and the ACP
15 partners, have taken steps to not only meet but exceed
16 all environmental requirements both at the state and
17 Federal level.

18 We are similarly diligent about trying to
19 maintain our rural character. However, you have heard
20 from the first two speakers about economic development
21 in our region, and toward that end, which is critical
22 to our citizens, we are happy to report and need to
23 report that we have not only electricity but affordable
24 electricity, that we have other public utilities, water
25 and sewer.

1 We would like very much to report that
2 similarly we have natural gas, and just to explain to
3 you what -- what that means to us and why -- why we're
4 in the position that we are in.

5 When we receive inquiries or potential
6 prospect information, typically, it comes to us from
7 DEP. Frequently, through our regional Virginia's
8 Growth Alliance, which I described to you the 10
9 localities including Cumberland that I shared with you.

10 Typically, the inquiries we receive for
11 economic development prospects, they have a list of
12 criteria that they're looking for, and quite often, if
13 not a majority of the time, one of those items is
14 natural gas.

15 Currently, we have to say no, that we
16 don't have that, so that eliminates us from any further
17 consideration for a significant number of potential
18 businesses that might relocate to Virginia. A vast
19 majority of those that we're not trying to catalyze out
20 of -- internally from the State of Virginia.

21 Therefore, these would be companies that
22 might otherwise be interested in coming to Virginia
23 from other parts of the United States, if not from
24 other parts of the world.

25 So it's possible that we're -- we know

1 that we're losing out. It's possible that the State is
2 losing out as well, so that's how and why you hear a
3 lot about economic development because those checklists
4 that we see, we simply cannot say yes.

5 So I know that I'm to focus on the
6 comments, so I will do that, and in doing so, I will
7 just say generally, I want to thank the DEQ staff,
8 because in reviewing the comments -- which because of
9 the nerd that I am, I did, reviewed all of the
10 summaries, the comments -- well, not all of them.

11 Definitely, the detail of the summary,
12 that they got it right, and we appreciate that because
13 again, we are concerned about our rural character and
14 protecting the environment again because we're
15 contiguous, we're right there.

16 The DEQ staff reiterated that in the
17 decision making, that siting and some of the concerns
18 that Mr. Bryan talked about when the conditional use
19 permits were considered, that those are local
20 decisions.

21 So thank you for remembering or for
22 respecting, I should say, that those are local
23 decisions, and then Buckingham got it right.

24 We are confident that our colleagues at
25 DEQ or the DEQ staff -- and I will confess to you that

1 there are some days I sit in my office, and I'm not
2 with DEQ staff -- so thorough in what they do because
3 it impacts us.

4 But they are very thorough and very good
5 at that, so we are confident that they have reviewed
6 and put into place the requirements that are needed to
7 protect our environment and our citizens.

8 In fact, I noticed in the language in the
9 comments -- their summary of the comments, that with
10 respect to modeling, in many cases, several places, the
11 modeling was observed to be conservative, appropriate
12 and in some cases, the most appropriate model that
13 could have been used.

14 Again, unless there's another fact, that
15 DEQ staff has been diligent with this air permit, and
16 I'm sure any other permits that will be required.

17 We were most impressed, and I will close
18 with this, I am -- in reviewing the materials, most
19 impressed with certain information that -- and I'll
20 just quote because these are the things that stood out
21 and I think encapsulated, summarized the way we feel
22 the process has been handled, and again, appropriately
23 and we think properly.

24 And we would encourage approval. The
25 language of the DEQ staff, again, that struck us. The

1 requirements of this draft permit are the most
2 stringent requirements for a natural gas compressor
3 station that DEQ could find.

4 DEQ reviewed other permits across the
5 country for natural gas compressor stations of all
6 sizes and did not find any limits more stringent than
7 those in the draft permit.

8 DEQ did not find compressor stations of
9 any size with the types and number of limits regarding
10 venting events contained in the draft permit.

11 DEQ has reviewed the available
12 information and has determined that the draft permit
13 requires for fugitive leak surveys and repairs appear
14 to be the most stringent for natural gas compressor
15 stations in Virginia and the country.

16 So we appreciate that. We applaud them,
17 and I -- I said I was going to end on that, but I will
18 say one last thing.

19 As an attorney, my -- I think the last
20 thing that I tend to think about is, Okay. How are we
21 going to enforce that?

22 But I will say, and end with that, having
23 worked at the AG's Office prior to working in local
24 government, I am confident that the regulations and the
25 statute -- particularly, the regulatory framework

1 that's in place, is more than sufficient.

2 Again, having been there -- more than
3 sufficient to ensure compliance, especially with the
4 oversight of DEQ and the permit and all attendant
5 conditions, so thank you very much for your time. We
6 do support this permit and the ACP we need.

7
8 MR. LANGFORD: Thank you. Ms. Berndt?

9
10 MS. BERNDT: Mr. Chairman, the next group
11 of speakers, if you will come on down and take a seat,
12 Sam Storeman, David Kuebrich, Jack Stewart, Deborah
13 Gittens and Barry Duval.

14
15 MR. STOREMAN: Good morning, DEQ staff,
16 and the rest of the people that are on the panel. My
17 name is Sam Storeman. I live in Henrico County, City
18 of Richmond.

19 I'm grateful for the opportunity to
20 express my views about the air permit, about the
21 Buckingham County Compressor Station.

22 My background is I worked as an engineer
23 at Dominion Virginia Power supporting daily operation
24 and maintenance. At the power stations not only on a
25 daily basis, but as well as the long-term processes,.

1 And I have designed systems dealing with
2 the use of oil in the power station, using the air
3 permit and I'm fully aware of the importance as well as
4 total compliance with the air permit.

5 The compressor station is very important
6 in the overall project for the Atlantic Coast Pipeline.
7 The source is minor compared to a major source of
8 emissions. The requirements are 4 to 10 times
9 stringent.

10 I have every confidence from my personal
11 background and experience as a Dominion employee that
12 Dominion will comply with all the requirements that are
13 in the proposed air permit.

14 The current technology that's there will
15 help with the emissions, the meeting of the emissions
16 for NOx and any blowdown -- that's a technical term for
17 the maintenance to maintain the release -- will be in
18 compliance with the air permit.

19 I am always in favor of the health of the
20 people in the community as well as respect for the
21 environment overall, and I am in support of this
22 project.

23 ACP overall was as well as specifically
24 the Buckingham Compressor Power Station, and I
25 respectfully ask that the DEQ approve this permit and

1 give Dominion a go ahead with the project. Thank you
2 kindly.

3
4 MR. LANGFORD: Thank you very much.

5
6 MS. BERNDT: Mr. Kuebrich.

7
8 MR. KUEBRICH: Good afternoon. My name
9 is David Kuebrich, and I'm a professor at George Mason
10 University, recently retired.

11 I still sometimes return to the
12 university to attend meetings of a student campus
13 environmental group.

14 This morning I would like to quote a few
15 short passages from a letter the students wrote for
16 today's hearing.

17 I quote, We students understand today's
18 meeting will focus on the compressor station proposed
19 for Union Hill. We know that many individuals and
20 groups have criticized this plan. We too believe these
21 residents are being asked to shoulder disproportionate
22 share of pollution and potential disruption and danger.

23 In addition, however we wish to add that
24 we especially identify with the younger people of Union
25 Hill. We believe they experienced a double injustice

1 not only the special local threats posed by the
2 compressor station but also the larger life-numbing
3 threat all of us young people feel as we anticipate
4 living our lives in the midst of catastrophic climate
5 change.

6 We wish to say a few words about this
7 second injustice. An injustice that is furthered not
8 only by the air pollution produced at Union Hill, but
9 the entire pipeline project.

10 From the intimal fracked methane gas
11 extraction to the leakage along the pipelines and the
12 methane's final combustion.

13 We know that methane is a greenhouse gas
14 much more powerful than carbon dioxide, and that the
15 pipelines will -- and we know that pipelines will
16 hasten global warning. We know that climate change is
17 real. We know it is rapidly worsening.

18 We know that the United States
19 Intragovernmental Panel on Climate Change has recently
20 warned if we are to avoid planetary catastrophe, we
21 have at best 12 years to significantly reduce our
22 greenhouse gas emissions.

23 Given all of this, what we don't
24 understand is why despite widespread opposition
25 throughout the state, these pipelines continue to be

1 built.

2 We would like to live our lives in a
3 pleasant world, but to speak frankly, we fear, yes, we
4 fear that it will no longer will possible for us and
5 other young people.

6 We know what we're fated to experience
7 unprecedented winds, rains, droughts, fires and
8 destruction of animal and plant life. We will live in
9 a different and more dangerous world.

10 Exactly how different and dangerous it
11 will be depends on how quickly all of us, but
12 especially our political leaders and government
13 officials, take action.

14 We politely ask that the Air Pollution
15 Control Board listen to our voices and promptly address
16 this grave injustice.

17 That's from the JMU Environmental Student
18 Group. Thank you very much for listening to their
19 voice.

20
21 MR. LANGFORD: Thank you, sir. I will
22 remind the audience that we shouldn't have any
23 applause. I don't have a problem with hand waving, but
24 let's not have oral. It could disrupt the rest of the
25 program. Next, Ms. Berndt?

1 MS. BERNDT: Jack Stewart.

2
3 MR. STEWART: Good morning. I think this
4 is this going to be a great day for the pipeline and
5 the compressor station.

6 My name is Jack Stewart, and I live in
7 Powhatan County. I grew up -- my wife and I both grew
8 up in Western Virginia in Doddridge County, Harrison
9 County.

10 And I need your -- and I need your
11 complete attention for what I'm going to say about the
12 compressor station. Movement into the county in
13 Virginia -- in West Virginia -- I'm sorry -- it will
14 make a lot more wealthy locations in the future.

15 I grew up in a small town in West
16 Virginia in East Salem, and my home, I could see two
17 oil wells, oil and gas wells, and I could see a storage
18 tank, and in three minutes, I can walk to a compressor
19 station, the natural gas compressor station.

20 My father, he worked for a company that
21 closed up the mines. There were a lot of wells when
22 they were no more profitable. My brother-in-law worked
23 for Pennzoil Oil Company pumping wells. My uncle
24 worked in the compressor station in Doddridge County.

25 There were well, storage tanks, pipelines

1 in the hills and the valleys along Route 50. That's
2 what we grew up with.

3 This past September, my wife and I took a
4 trip back to Doddridge County in West Virginia, and a
5 lawyer friend of mine indicated that the Doddridge
6 County, where there's a huge compressor station, which
7 was more like the one in Virginia here, dwarfed -- it's
8 huge -- he said that Doddridge County is now one of the
9 richest counties in the State of West Virginia.

10 I say this because companies, they give a
11 great deal of money and time in the communities where
12 they operate, and that means a whole lot to the
13 communities, and I brought some articles here --

14
15 MR. LANGFORD: Thank you, sir. I think
16 your time has expired. I appreciate it.

17
18 Mr. STEWART: I would like to leave this
19 for your --

20
21 MR. LANGFORD: Past them to the staff
22 over there if you would like.

23
24 MS. BERNDT: Deborah Gittens.

1 MS. GITTENS: Good morning, Mr. Chairman
2 and Members of the Board. I'm Deborah Gittens, a
3 business owner in Virginia Beach.

4 Thank you for allowing me the opportunity
5 to add my support to this critically-needed Atlantic
6 Coast Pipeline.

7 As you will hear today, related to the
8 proposed Buckingham Compressor Station, I hope you will
9 give careful consideration to the opportunity this
10 project will provide in the way of jobs, economic
11 growth and the ability to deliver clean, affordable
12 energy so many businesses and families across Virginia
13 depend on.

14 The Atlantic Coast Pipeline has gone
15 through the most rigorous review process of any
16 infrastructure project in Virginia history. When it
17 comes to protecting our environment, such a process is
18 so much needed.

19 This is precisely why I'm confident the
20 Atlantic Coast Pipeline will be built and operated
21 under the most careful parameters for protecting the
22 Commonwealth's air, land and water. This includes the
23 operation of the Buckingham Compressor Station.

24 The draft air permit before you is one
25 written by state experts under the charge of protecting

1 Virginia's air quality. I am very confident this draft
2 permit does just that.

3 The best in-case engineering design, the
4 occupational measures put in place under the permit and
5 the highly-advanced emissions control equipment are
6 just a few reasons for my confidence the compressor
7 station will operate while making it a top priority to
8 fully protect Virginia air.

9 The modeling conducted using methods
10 approved by the Department of Environmental Quality
11 clearly demonstrated that the emissions from the
12 Buckingham Compressor Station facility will fall well
13 below Federal and state standards for protecting air
14 quality quality, and most importantly, the health of
15 Virginians.

16 This is just one example disapproving the
17 notion that any one community will be more adversely
18 affected by the compressor station than others.

19 The Federal and state standards I mention
20 are not typically applied to a minor emissions source
21 such as the Buckingham facility.

22 However, thanks to the careful attention
23 paid to the project, DEA -- I'm sorry -- DEQ and
24 Dominion, this facility will operate to meet both
25 standards. Protecting the health and safety of the

Buckingham community is and should be a top priority.

I strongly believe the operations of this commission station -- compressor station will be conducted in a manner to achieve just that.

I respectfully urge you to approve this permit. This project will bring clean and affordable energy to help meet Virginia's growing energy needs. I want to thank you for giving me the opportunity to add my voice to this. Thank you.

MR. LANGFORD: Thank you, ma'am.

MS. BERNDT: Mr. Duval.

MR. DUVAL: Good morning. I'm Barry Duval. I'm president and CEO of Virginia State Chamber of Commerce. It's my privilege to come before you today.

I want to begin by thanking the Members of the Board for your public service to the Commonwealth of Virginia. Thank you for being here today and for the service that you're providing over four million Virginians in the role that you play in this process.

I have a history of public service in

1 Virginia. I really appreciate those who are willing to
2 give their time and energy to help ensure the rest of
3 us are, in fact, protected, and the role that you play
4 is important.

5 As I said, there are really over 200,000
6 business in Virginia. There are about 4 million people
7 working, and I have the privilege of representing
8 26,000 businesses in the Commonwealth of Virginia.

9 We are the largest business organization,
10 and the year before the governor was elected, we
11 surveyed all of our members and asked them what the
12 most important issues are facing their businesses.

13 And we asked them about the energy issue,
14 and over 55 percent of them said that affordable energy
15 and reliable energy was the most important issue to
16 them.

17 I would encourage you to look at our
18 blueprint for Virginia. It's online at vachamber.com,
19 and there's an entire section on sustainability as well
20 as energy compliance and affordability.

21 And one of the things it recognizes is
22 that the Commonwealth of Virginia needs more energy to
23 grow. In order for us to continue to expand and
24 diversify our economy, many of our businesses will rely
25 on and will need more energy.

1 I'm impressed that the Atlantic Coast
2 Pipeline is going to be one of the important projects
3 that helps us expand our manufacturing facilities as
4 well as provide needed energy for other areas of the
5 Commonwealth of Virginia.

6 I haven't seen a project that has brought
7 so many different diverse organizations together,
8 whether it's labor or business, bipartisan support in
9 the General Assembly and such broad support at the
10 local government.

11 For those who are concerned, I think they
12 should trust the process for environmental protection.
13 I believe this project will be done in an
14 environmentally sound way.

15 Our members have supported this project
16 from the beginning. We think it's not only -- it's
17 going to be done in an environmentally safe way, we
18 think it will an economically sound way.

19 I want to add the Virginia Chamber of
20 Commerce support for this project. I want to encourage
21 you to look at the facts and the merits of the project
22 especially as you review this air permit, and I urge
23 you to support it.

24 As Mr. Ferguson knows, I spent six years
25 as the Mayor of Newport News and conducted many public

1 hearings during that six-year time.

2 I used to encourage my city council
3 members when they had to listen to a two to four-hour
4 public hearings to make sure that we focus on the
5 facts, we weigh public opinion but we don't count it.

6 And I just about encourage you and thank
7 you for your time, for your consideration, and thank
8 you that you are going to look at the facts.

9 We encourage you to support this permit
10 because it will lead to the construction of a
11 much-needed project that will serve the Commonwealth of
12 Virginia and improve our community. Thank you.

13
14 MR. LANGFORD: Thank you, sir.

15
16 MS. BERNDT: The next group of speakers,
17 Mary Finley, James Parmelee, Walton Shepherd, Beverly
18 Hawthorne and Pam Tinker. Ms. Finley is first. Ms.
19 Finley has six minutes.

20
21 MS. FINLEY: Good morning. I'm an
22 associate professor of geography and environmental
23 studies at the University of Richmond. My research
24 addresses energy infrastructure, siting and low-income
25 minority areas.

1 My comments today draw from my
2 professional experience doing energy sector analysis
3 for more than a decade.

4 I'm a member of the Governor's Advisory
5 Council on Environmental Justice. This term,
6 "environmental justice," has its roots in Title VI of
7 the Civil Rights Act.

8 At its basic level, environmental justice
9 is fair treatment and meaningful involvement regardless
10 of race or income.

11 These standards have not been met in
12 Union Hill either historically or during this
13 permitting process. The Governor's Advisory Council on
14 Environmental Justice was contacted in March of 2018 by
15 the impacted Union Hill community.

16 From oral comments, extensive written
17 documentation and site visits, we found ample evidence
18 of racial discrimination and documented this in a
19 12-page letter to Governor Northam in August.

20 Because of our concerns, we recommended a
21 stay on permitting the Atlantic Coast Pipeline pending
22 an adequate review of health and quality of life
23 impacts on population.

24 In particular, we recommended
25 comprehensive social, ecological and health impact

1 assessment around Compressor Station Number 2 in Union
2 Hill. Since 1994, Federal Executive Order 12898 on
3 Environmental Justice has encouraged explicit attention
4 to ensure meaningful public participation of
5 marginalized groups.

6 Today, Virginia has a process for the
7 formal act of providing formal comments. Residents of
8 Buckingham have submitted hundreds of comments opposing
9 this compressor station.

10 Over the past four years, they have
11 carried a heavy burden trying to participate.
12 Nevertheless, their voices have not been respected by
13 anyone with authority in this permitting process.

14 Today, concerned local residents,
15 citizens, are here in front of you, a citizen board,
16 for one final chance to actually be listened to.

17 Another main objective of Federal
18 Executive Order 12898 is to improve research and data
19 collection relating to the environment and health of
20 minority and low-income populations.

21 Union Hill community members have
22 repeatedly asked for quantitative risk assessment and
23 health risk assessment. These were never granted.

24 We know criteria pollutants come from
25 compressor stations in higher concentrations during

1 blowdowns, and these spikes in exposure can harm human
2 health.

3 Nevertheless, with an annual time
4 interval of the National Ambient Air Quality Standards,
5 toxics emissions are averaged across a year, thus
6 downplaying acute exposures even when these reoccur
7 frequently across time.

8 Within the 1.1 miles of the proposed
9 compressor station, there are 99 households largely
10 made up of vulnerable populations such as elderly
11 residents with pre-existing health conditions. This is
12 who will experience acute exposures.

13 In this permitting process, community
14 health and safety have not been made a priority. The
15 potent greenhouse gas methane and its climate impacts
16 are not even being measured.

17 And without support from the state or
18 from the project developer, impacted residents are
19 forced to collect their own baseline air quality data
20 so that local impacts can be accurately researched and
21 understood.

22 Meanwhile, ignoring community questions
23 for four years, community officials have been unwilling
24 to identify either the size of the blast zone or even
25 the more deadly incineration zone.

1 Federal environmental justice guidelines
2 and civil rights frameworks are being ignored in spite
3 of this peril.

4 In terms of state policy, under energy
5 objectives, the Code of Virginia states that the
6 Commonwealth seeks to develop, quote, energy resources
7 and facilities in a manner that does not impose a
8 disproportionate adverse impact.

9 Not only does this project cause unfair
10 harm, the significant local damage occurs alongside
11 windfall corporate profits reflecting poorly on the
12 boundaries and priorities of our state decision makers.

13 I sincerely hope this Air Board
14 demonstrates a strong code of ethics and independence
15 in your decision. If this toxic, dangerous compressor
16 station were still to be approved in spite of evidence
17 of disproportionate harm for people of color and for
18 low-income households, then adequate monitoring and
19 compliance must occur for the full lifetime of the
20 project.

21 Dominion Energy should notify local
22 authorities and residents prior to each planned venting
23 event. They should treat every blowdown like a
24 high-risk episode and create a system of notification
25 and a system of fence-line monitoring because of the

1 vulnerable health of local households.

2 All self-reporting by Dominion Energy
3 should be carefully monitored at weekly and monthly
4 intervals. However, in my presence, Department of
5 Environmental Quality air permitting staff has told
6 concerned residents they do not have the time or
7 resources to do this type of rigorous oversight.

8 Safeguards for this project are currently
9 poor and woefully inadequate. Compliance best practice
10 would include legal counsel for impacted residents,
11 monitoring and compliance guidance and coordination by
12 a state environmental justice coordinator, alongside
13 the governor's advisory council, and most importantly,
14 authentic and meaningful involvement of the impacted
15 community.

16 If this Air Board demonstrates a strong
17 code of ethics and independence in your decision, you
18 could prevent the expansion of injustice. This
19 unnecessary infrastructure causes disproportionate harm
20 and risk in Union Hill.

21 There is discrimination evident in
22 placing this industrial infrastructure in a rural area
23 with poor coverage of emergency services.

24 Overall, there is inadequate attention to
25 safeguards required to protect public health and

1 safety. Thank you.

2
3 MR. LANGFORD: Thank you, ma'am.

4
5 MS. BERNDT: James Parmelee. Mr.
6 Parmelee also has six minutes.

7
8 MR. PARMELEE: Say it again.

9
10 MS. BERNDT: I was just saying you have
11 six minutes.

12
13 MR. PARMELEE: Oh, six minutes. Okay. I
14 thought I only had three, but thank you. Anyway, so
15 thanks for having this hearing today as an -- so people
16 can express their pros and cons on this particular
17 issue.

18 And it's an important issue, and I think
19 even more widespread than the ACP than any one
20 particular compressor station.

21 You know, we're looking at a country that
22 now has a booming economy, people -- more people are
23 going back to work, and it's important to keep our
24 booming economy going. We need more energy. And, you
25 know, we can quibble over how we get that energy.

1 I personally think we need to have all
2 sources of energy, from gas, to nuclear, to wind, to
3 solar, to pretty much anything you can come up with, to
4 let the different sources of energy compete with each
5 other, to lower prices, and to figure out which ones
6 are best, which ones are efficient and so on.

7 So this part of a larger energy debate,
8 and it doesn't go away if we don't have a particular
9 compressor station, if we give up on a particular
10 source of energy.

11 The only thing that happens is prices go
12 up, people lose jobs, people can't get energy, the
13 economy slows, a lot of bad things happen.

14 So what we have to look at, and what you
15 folks are responsible for looking at, is what do we do
16 about this particular issue, and -- or this particular
17 situation.

18 And I think it's important to approve
19 this because we're going to have stations, we're going
20 to have energy, we have to figure out where the best
21 places to do it are.

22 And I was impressed with the number of
23 elected officials who represent the people of the
24 locality affected who support this, and they faced the
25 voters, and the voters have the option of approving or

1 rejecting them, and the voters have approved them.

2 And that's not to say I agree with all of
3 my elected officials, but I think that taking a good
4 look at it, I've heard some of the pros and cons at
5 this hearing and other events.

6 , and I think that this seems to be a
7 reasonable place to put it, seems to be solid safety
8 measures, and I think that folks have done a good job.

9 And with my limited technical expertise,
10 in, you know, going through and trying to answer all of
11 the community questions, concerns, to make this as safe
12 as possible.

13 And obviously, you can't answer
14 everyone's concerns because there are just so many --
15 some people have so many concerns over everything, so
16 many impacts and points of view.

17 And it's nice to see so many different
18 folks come out to this particular hearing. Even the
19 folks who disagree with me on this particular issue,
20 I'm happy to see them out during the day, participating
21 in the process because I think it's important to take a
22 moment to realize that in most -- many places in the
23 world, we don't get these sorts of hearings, people --
24 projects or whatever they want.

25 And there's no community input and no

1 voting, so in this instance, I think it's sort of a
2 celebration of democracy that we're all here to talk
3 about the pros and cons and to look at this particular
4 issue.

5 And the issue really here is do we want
6 our economy to continue to boom, do we want to put more
7 people back to work, do we want to increase people's
8 standards of living and can we do that safely.

9 And it appears from all of the evidence
10 that I've heard at this hearing and others is that we
11 can do this safely, we can do this for the greater
12 good, for the benefit of so many people in the area.

13 So I hope -- and I don't see a clock up
14 here, so I don't know how far into the six minutes I
15 am, but I hope that you will approve this.

16 And I applaud the lengthy -- you know,
17 we've had all of these hearings, comments and so on,
18 and I think you guys have pretty much -- just about
19 every issue I can think of, and hopefully, that you
20 will say yes to this particular project. Thank you for
21 your time.

22
23 MR. LANGFORD: Thank you, sir. Ms.
24 Berndt?

25 MS. BERNDT: Mr. Shepherd.

1 MR. SHEPHERD: Thank you.

2
3 MS. BERNDT: Mr. Shepherd has 12 minutes.

4
5 MR. SHEPHERD: Thank you. Good morning.
6 Walton Shepherd from the National Resources Defense
7 Council to speak on behalf of our 12,000 members here
8 in the Commonwealth, and thank you for listening.

9 And I feel lucky I got you early in the
10 morning while you're still bright-eyed and
11 bushy-tailed.

12 Your duty to assess site suitability, as
13 clearly prescribed by the state code, has not been
14 performed yet by DEQ staff.

15 And in absence of that required
16 assessment, the BCS's impact on the Union Hill
17 community, because that assessment has not yet been
18 done, you must disapprove this draft permit.

19 And that disapproval, let me be clear,
20 would be despite the hard work the DEQ staff has put
21 into draft a stringent permit from an emission
22 standpoint, for which staff does deserve recognition
23 and appreciation.

24 But the entirely separate question of
25 site suitability remains a gaping and still persisting

1 hole at the very core of this draft permit, and it's a
2 fundamental failure to uphold a statutory duty.

3 I'll point out that that duty is a wholly
4 separate inquiry from emissions limits, that is,
5 applying BACT, air quality measurance, and meeting
6 NAAQS and SAAC standards.

7 So you will hear many times that this is
8 one of the most stringent permits in the country, if
9 not the strongest in the country, all of the various
10 conditions that have been placed upon it.

11 We are not talking about that section of
12 the code. We are talking about the separate statutory
13 and regulatory duty to assess.

14 And I'll quote here, the reasonableness,
15 of the BCS under 1307 (E)(3), and (4) in relation to
16 both the, quote, suitability of the activity, to the --
17 in this case, the Union Hill community, and the, quote,
18 practicality of reducing or eliminating that pollution.

19 As I will discuss, neither inquiry under
20 (E)(3) or (E)(4) has been undertaken in a way that
21 satisfies both your statute and ensures environmental
22 justice, does not occur in violation of Virginia's
23 statutory Commonwealth Energy Policy as well.

24 Before I proceed, let me clearly state
25 that this deficiency, this wholesale gap in the draft

1 permit is so sweeping that the Board's only option at
2 this very late stage is to, quote, disapprove the
3 permit under your regulations so that environmental
4 justice in Union Hill can be assured.

5 And that not just your Air Board law is
6 upheld under 1307 (E)(4) and (3), but also the statute
7 -- state statute is upheld that requires energy
8 projects do not, quote, have a disproportionate adverse
9 impact on economically disadvantaged or minority
10 communities.

11 To demonstrate how the statutory
12 requirement has not been met, first, I will refer you
13 to DEQ's site suitability assessment in Section 10 of
14 the original draft analysis memorandum from earlier
15 this year, which I expect you have in your materials.
16 It's on page 13. It's entitled Site Suitability.

17 Section 10 is -- very briefly, in fact
18 too briefly, details the site assessment upon which the
19 draft permit before you is based. That suitability
20 assessment on page 13 is both erroneous and deficient.

21 First, it improperly relies on the local
22 government's special use permit. DEQ reliance on a
23 local decision as a proximate for DEQ's own site
24 suitability assessment of BCS is expressly prohibited.
25 Your own regulations prohibit reliance on local land

1 use decisions when assessing site suitability.

2 Specifically, your administrative code,
3 Chapter 80, Section 2150, states that an applicant's
4 compliance with local zoning, quote, does not relieve
5 the Board of its duty under 1307 (E) to independently
6 consider relevant facts and circumstances, end quote.

7 That independent inquiry has not been
8 done, because far more defective in the DEQ Section 10
9 site suitability assessment is the second paragraph, a
10 very short paragraph which comprises the entirety of
11 the DEQ site suitability analysis on your behalf.

12 It describes the Buckingham site visit on
13 October 31st, 2017. The site evaluation begins with
14 the observation that the land is, quote, forested with
15 rolling terrain, end quote.

16 Now, I've been to Buckingham, as have
17 you, sir, and many others, and that is certainly an
18 accurate statement, forested rolling terrain.

19 However, it's also incomplete because
20 there are people there as well, and the DEQ's walk-thru
21 clearly overlooked and does not include in that
22 assessment the community of Union Hill.

23 In other words, the close proximity of
24 Union Hill is a, quote, fact and circumstance highly
25 relevant to assessing the, quote, reasonableness of

1 locating the compressor station there.

2 However, despite the Union -- excuse me
3 -- Union Hill community's presence, the next sentence
4 of DEQ's site suitability analysis on which the draft
5 permit rests, a sentence that is fatal to this draft
6 permit, states that, quote, the area is sparsely
7 populated, end quote.

8 That's it. The area is sparsely
9 populated. DEQ's conclusion here includes no
10 population count, no demographic data of race, income,
11 vulnerabilities, health, history or, most importantly,
12 environmental justice.

13 While those local demographics have since
14 been entered into the public record by others, which I
15 encourage you to closely review, and which you will
16 likely hear today, those facts do not exist in the
17 DEQ's own record or in DEQ's scant one-paragraph
18 analysis of Union Hill's site suitability.

19 So this summary conclusion that the Union
20 Hill area is sparsely populated shows how categorically
21 deficient and even factually incorrect the DEQ's site
22 assessment was.

23 As such, the DEQ has fundamentally
24 foreclosed your ability to accurately assess the,
25 quote, reasonableness and facts and circumstances as

1 they relate to placing a large compressor station in
2 the environmental justice community of Union Hill.

3 Not only is DEQ's previous site
4 suitability draft analysis deficient, so too is DEQ's
5 response to public comments regarding site suitability,
6 which can be found on page 31 and 32.

7 In its response to public comment, DEQ
8 first waves away public concerns about the permit's
9 very clear site suitability defects by explaining that
10 the DEQ gives, quote, significant weight, end quote, to
11 local government decisions when considering site
12 suitability.

13 Again, the lines on local government
14 decisions is directly contrary on its face to your own
15 regulations, specifically Chapter 80, Section 2150.

16 DEQ's statutory obligation to perform a
17 separate independent assessment of the reasonableness
18 of site suitability is in no way relieved or displaced
19 by a local zoning permit.

20 In fact, DEQ's response to comments here
21 would read the Board's site suitability out of the code
22 entirely. This reliance by DEQ on a local zoning
23 decision is entirely without merit and exposes anew the
24 hole in the draft permit before you.

25 DEQ then compounds this erroneous

1 interpretation of your statute in the same sentence on
2 page 31 by stating that the DEQ considers site
3 suitability, quote, within the context of air quality
4 considerations, end quote.

5 That, on its face, is another incorrect
6 reading of the Air Board statute and regulations, as
7 the DEQ now reads something into the statute that is
8 simply not there.

9 Your 1307 (E)(3) site suitability statute
10 is not about air quality considerations. Air quality
11 is covered elsewhere in the statute, and DEQ has
12 plucked those words out of thin air and wrongly
13 inserted them into your statute.

14 So to conclude in my addressing DEQ's
15 response to comments on site suitability, on one hand
16 DEQ staff tries to read 1307 (E)(3) out of the statute,
17 and on the other hand the DEQ erroneously reads into
18 1307 (E)(3) air quality metrics that are wholly
19 separate from and do not comprise your site suitability
20 inquiry.

21 The DEQ cannot have it both ways, and as
22 it happens, the DEQ may not have it either way, because
23 your site suitability statute and regulations are
24 crystal clear, local zoning is irrelevant to your
25 independent site assessment.

1 And that assessment is also not based on
2 air quality standards. Rather, your inquiry is based
3 on a, quote, reasonableness standard that considers,
4 quote, facts and circumstances, including those of the
5 nearby Union Hill community.

6 Lastly, if DEQ had undertaken a lawfully
7 required and adequate site suitability assessment and
8 discovered the facts and circumstances of the Union
9 Hill community under 1307 (E)(3), it is reasonable to
10 expect that the DEQ would also have subsequently
11 fulfilled its statutory obligations under 1307 (E)(4),
12 an assessment that I point out is completely missing
13 from the record.

14 This is the requirement that the DEQ
15 consider, quote, the scientific and economic
16 practicality of reducing or eliminating the discharge
17 related in resulting from the compressor station, end
18 quote.

19 Unfortunately, under this draft permit,
20 we do not know the practicality of reducing discharge.
21 For example, through stronger emissions limits that are
22 more protective of the Union Hill community, nor do we
23 know the practicality of eliminating discharge entirely
24 by locating the compressor station in an alternate
25 area, less populated or vulnerable than Union Hill.

1 Had DEQ fulfilled its obligation under
2 1307 (E)(4), perhaps stronger standards may have been
3 deemed, quote, practical to ensure environmental
4 injustice from local pollution levels under this permit
5 never occur in any instance in Union Hill.

6 DEQ would also presumably have assessed
7 the practicality of eliminating all discharge by moving
8 the compressor station to an alternate site that is
9 more, quote, reasonable, given the facts and
10 circumstances of sanctioning -- of otherwise
11 sanctioning environmental injustice in Union Hill.

12 Anecdotally, we know the practicality of
13 that elimination option because Dominion recently
14 agreed to move another compressor station location due
15 to Mount Vernon viewshed concerns.

16 If it was practical to do there, it may
17 be practical to do so in Union Hill, but again, because
18 neither a site suitability analysis or a practicality
19 analysis of eliminating pollution in Union Hill by
20 relocating the compressor station was never done, the
21 Board simply doesn't have adequate information with
22 which to confidently approve the draft permit.

23 That lack of knowledge, knowledge
24 required by 1307 (E) to be obtained by the DEQ and
25 presented to you, is why this permit is fundamentally

1 incomplete and therefore defective.

2 And why you must disapprove until both
3 site suitability, I'm wrapping up, and practicality
4 assessments are complete.

5
6 MR. LANGFORD: Thank you, sir.

7
8 MR. SHEPHERD: Thank you. Oh, and I have
9 my handout -- or my comments to hand up. Thank you.

10
11 MR. LANGFORD: Thank you. And the
12 hearing will take a 10-minute recess right now, so 10
13 minutes from right now, we will reconvene.

14
15 (Recess)

16
17 MS. BERNDT: Next few speakers, first is
18 Beverly Hawthorne. She has three minutes.

19
20 MS. HAWTHORNE: Good morning. I'd like
21 to thank you all for allowing me to speak on this
22 project.

23 Mr. Chairman, Board Members, and citizens
24 of the audience, my name is Beverly Hawthorne, and I
25 represent the City of Emporia as the Community and

1 Economic Development Manager.

2 Emporia is a member of Virginia's Growth
3 Alliance with Buckingham County, and as previously
4 mentioned, Buckingham, Giles, Cumberland, and other
5 counties in the southern part of the state.

6 I am here today to speak in favor of the
7 permitting of the ACP Buckingham Compressor Station.
8 This station is a necessary component of the ACP and
9 will serve as a strong model for other compressor
10 stations to be considered in the future.

11 I have kept involved with the ACP
12 process, especially through Ms. Rebecca Carter of
13 Buckingham County, and its extraordinary study of the
14 possibilities and the risks to those properties along
15 the proposed route.

16 Dominion Energy has imposed more
17 stringent designs than required in this pipeline, and
18 particularly in this compressor station.

19 Dominion has also worked with Buckingham
20 and its citizens to put extra conditions in place to
21 protect the citizens and their everyday connection to
22 the location of this station.

23 Air quality, through all of the controls
24 and standards in place, will not be impacted adversely
25 even when the station operates at its maximum capacity.

1 This fact is very important to my
2 locality because future compressor stations will be
3 necessary to accommodate the potential laterals and
4 connections to the existing pipelines south of Emporia.

5 I feel that the responses by DEQ to the
6 comments and questions from the public hearings as
7 presented are fair and complete.

8 As an economic developer, I look forward
9 to the potential new manufacturing businesses and the
10 resulting jobs that are created. To grant these new
11 opportunities that will be created to the areas of the
12 state that need them, please approve this permit.

13 Thank you very much.

14
15 MR. LANGFORD: Thank you, ma'am.

16
17 MS. BERNDT: Pam Tinker.

18
19 MS. TINKER: Good morning. I'm here
20 representing my husband, who is a retired cardiologist,
21 and I am a physical therapist and founder of a
22 nature-based outdoor early learning nonprofit school in
23 Northern Virginia.

24 Between my husband and I, we have
25 provided over 80 years of health care to people in

1 Northern Virginia, and many advocacy services and
2 discussions and work and labor in that area to help our
3 Virginia state become more environmentally conscious
4 and protect the health of people in Virginia.

5 This project -- I am so sorry that you
6 are at the end of this permitting process because this
7 process should never have begun.

8 And the people in Northern Virginia who
9 will be paying 2.5 million more dollars over the next
10 20 years do not even know it's happening.

11 There were no hearings there. We are the
12 people who will pay to have our children poisoned and
13 the climate warmed.

14 We will be paying for that, and we do not
15 even get the courtesy of a hearing in Northern
16 Virginia. The closest hearing that DEQ did was in
17 Harrisonburg, Virginia, two-and-a-half hour drive from
18 Northern Virginia.

19 And to completely disenfranchise the
20 entire upper part of the state, because the pipeline is
21 not going through our backyards, is not okay, because
22 we are paying for it.

23 I have spent the last 20 years providing
24 an early childhood program that develops core values in
25 children between 18 months and 5 years, because that's

1 when core values are initiated.

2 And those children, I think, have a
3 better understanding of sustainability in the
4 environment than our state legislators, our regulators,
5 and especially Dominion, who -- if you're going to
6 grade social and emotional intelligence, Dominion is on
7 a two-year-old level.

8 It's all completely self-serving. It has
9 nothing to do with looking out for the welfare of our
10 people, the environment and the amount of energy that
11 they are going to be producing besides the fact that
12 it's probably mostly going overseas, could be done with
13 renewables, and it could be done cheaper.

14 And I understand the concerns of people
15 here about the energy cost because I run a preschool
16 that uses a lot of energy, but the energy is going to
17 be more expensive because we're going this fossil fuel
18 route, than it would be if we were doing renewables.

19 So the entire project is a form of
20 insanity, and I have 50 children each year for 20 years
21 that I have completely failed.

22 So besides the health of our children,
23 who can't go outside because of more poor air days,
24 more days where it's too hot, more terrible floods, we
25 cannot even play outside --

1 MR. LANGFORD: Thank you, ma'am. Time is
2 expired. Appreciate it.

3
4 MS. BERNDT: The next group of speakers,
5 Wendy Wright, Reverend Wilson, Georgianne Stinnett,
6 Suzanne Keller, and Floyd Miller. First is Wendy
7 Wright.

8
9 MS. WRIGHT: Good morning, Ladies and
10 Gentlemen of the Board. My name is name Wendy Wright.
11 I'm the Executive Director of the Brunswick Chamber of
12 Commerce.

13 And I'm here today to speak on behalf of
14 Atlantic Coast Pipeline and the Buckingham Station in
15 support of it for our Chamber and our citizens.

16 The Atlantic Coast Pipeline has the
17 potential to be a critical asset for the residents of
18 Brunswick County and the entire southside region, not
19 only by allowing us to have affordable energy, but in
20 terms of revitalization as well.

21 We need this infrastructure to better
22 leverage opportunities to bring new jobs to an area
23 that has needed them for a very long time.

24 The Atlantic Coast Pipeline is just the
25 kind of energy infrastructure that businesses that are

1 relocating or expanding are looking for when they're
2 looking to come to our county.

3 As you know, the Buckingham station is in
4 the central part of the pipeline's completion. For
5 this reason, I strongly urge you to approve DEQ's draft
6 permit for this facility.

7 As a lifelong resident of Brunswick
8 County, which is a rural community, I can tell you I
9 would not be in support of anything that would hurt our
10 environment or our citizens.

11 Fortunately, I am very impressed with the
12 provisions that this draft permit has in it, and I
13 encourage you to approve it.

14 The Buckingham Station air permit
15 contains significant limitations for pollutants like
16 carbon monoxide, nitrogen oxide and volatile organic
17 compounds.

18 In fact, some of the limitations in the
19 draft permit are 10 times higher than those in some
20 other stations.

21 The state-of-the-art equipment and --
22 excuse me. I'm sorry -- and the best-in-place
23 engineering that would be used at the Buckingham
24 Station is just one additional layer of protections
25 that would be used in the facility's operations.

1 Using the most advanced emissions control
2 will guarantee emission levels will exceed National Air
3 Quality Standards.

4 In fact, the modeling conducted by
5 Dominion proves that even at the maximum capacity that
6 the compressor station will not have harmful impacts on
7 Virginia air quality.

8 Given these facts, I believe the
9 Buckingham Station and the pipeline projects will be
10 built and operated in an environmental, conscious, safe
11 manner.

12 It will allow Brunswick County to reap
13 over \$2.5 million in capital expenditures and over
14 8,000 jobs for the state of Virginia.

15 And this is something we, as a community,
16 desperately need. It will go towards schools and so
17 forth. Sorry, wrapping it. Again, I am in support of
18 it because of the benefits to Brunswick County --

19
20 MR. LANGFORD: I believe -- I believe the
21 time is expired.

22
23 MS. HAWTHORNE: Thank you.

24
25 MR. LANGFORD: Thank you.

1 MS. BERNDT: Reverend Wilson.

2
3 MR. WILSON: Good morning. I'm Pastor
4 Paul Wilson of Union Hill Church in Buckingham County,
5 Virginia. One church, two locations. And we are most
6 eminently impacted by the proposed compressor station
7 as well as the pipeline.

8 I'm not accountable to the permit. I'm
9 accountable to an unseen being. It is my
10 responsibility to speak to all of those.

11 Our church, our community has been these
12 last three or four years, a political football. This
13 thing is really all about money.

14 There are too many people who have, let's
15 say, some control over our community who have been
16 compromised. Too many of our political -- of our
17 elected officials have been compromised. Too many of
18 our political appointees have been compromised.

19 This is a moral issue. A moral issue.
20 We have been marginalized, our whole community. Our
21 community has been divided by past actions and even
22 recent actions as of a few days ago, even by Dominion.

23 We are definitely divided now.
24 Republicans are against the Democrats or whatever, and
25 we have a far right and a far left. But ultimately,

1 ultimately, this is a moral issue.

2 If this proposed compressor station is
3 put into our community, and our church has voted on
4 several -- a year or two past to go over to the end to
5 oppose it, the end result is that our community will
6 bear the brunt force of the negative impacts of just
7 being on a computer modeling, being on the bottom line
8 of somebody's financial sheet, it takes away anything
9 about what it is to be human.

10 And this is what -- really what we're
11 opposed -- we don't oppose jobs. We're just standing
12 for our community because the bottom line of the
13 situation is about the human value. The human value.

14 This is why we make the standing we make,
15 and this whole conversation has been dominated and
16 controlled by a large entity that has tentacles not
17 just throughout the state, but throughout the region.

18 And so we just -- we're just opposed to
19 it, and we feel that it's unnecessary, and we believe
20 that you, ladies and gentlemen, will make the right
21 decision. May God bless you.

22
23 MR. LANGFORD: Thank you, sir.

24
25 MS. BERNDT: Georgianne Stinnett.

1 MS. STINNETT: My name is Georgianne
2 Stinnett, and I live in the effected zone of the
3 proposed compressor station.

4 Eight generations of my family have
5 called Buckingham home, and those who are still here
6 include the most vulnerable to dangerous effects of air
7 pollution, young children and an 92-year-old matriarch
8 of the family who has lung cancer.

9 I am a former environmental scientist who
10 worked for years on a contract to the EPA to assure
11 that our world remains a place where everyone can live
12 free of the devastating effects of pollution.

13 With this legacy and background, I was
14 appalled at the DEQ's recommendation to grant the
15 permit.

16 The DEQ states that it must, quote,
17 balance the interests of the public in commenting on a
18 proposed project and the due process rights of an
19 applicant to a timely decision and a predictable
20 application process.

21 It appears that the DEQ has gone
22 overboard in the effort to grant Dominion's predictable
23 approval of this permit. Embracing the lives of the
24 applicant, while ignoring the hard science presented by
25 the objectors.

1 The DEQ's response to comments is that
2 the permit is a technical and legal document containing
3 the conditions with which a source must comply.

4 Yet the draft permit specifications for
5 the equipment on the facility are for informational
6 purposes only and do not form the enforceable terms and
7 conditions of the permit.

8 This alone should be enough to reject the
9 permit. How can something of this potentially lethal
10 -- of something of this potentially lethal magnitude be
11 approved if we do not even know what it comprises?

12 Further, the special use permit issued by
13 Buckingham Board of Supervisors is still under legal
14 challenge. Why proceed with an application for an air
15 permit if the status of the SUP is unclear?

16 The description of emission control
17 states that the owner is responsible for compliance
18 with modern requirements. The assumption here is that
19 Dominion will do what is right is grossly misplaced.

20 The procedure described amounts to
21 self-regulation. Given the gas transmission industry's
22 history of environmental disasters, Putting them in
23 charge of making sure that they are keeping us safe is
24 preposterous.

25 Yet, the DEQ has no problem with this

1 arrangement despite justifiable objections by
2 commenters. Why is there no mention of controlling air
3 emissions in the event of explosions?

4 How about escape routes for individuals
5 who would need to breathe during these events? What
6 about the effect of planet-destroying emissions? What
7 about environmental justice? The DEQ dismisses these
8 issues with little concern.

9 The system for measuring emissions does
10 not account for their actual impact on human health.
11 Samples are averaged on a regional scale and include
12 times when fuel pollutants are being emitted.

13 This effectively, and quite deliberately
14 by Dominion, disguises the blasts of high
15 concentrations of noxious pollutants and misrepresents
16 the air immediately surrounding the station.

17 Despite evidence to the contrary in the
18 comments, DEQ holds that their modeling is sound.
19 Given the documented deterioration of communal health
20 near existing compressor stations cited by objectors,
21 the DEQ must conduct quantified risk, health risk, and
22 health impact assessments.

23 Yet the DEQ denies their authority to do
24 so. The recommendation to accept -- recommendation to
25 accept the permit is driven by the corrupting forces of

1 politics and greed instead of science.

2 You have the legal authority and moral
3 responsibility to reject this permit. I implore you to
4 do so. Thank you.

5
6 MR. LANGFORD: Thank you.

7
8 MS. BERNDT: Suzanne Keller.

9
10 MS. KELLER: Good morning, my name is
11 Suzanne Keller, I'm a retired epidemiologist from the
12 State Health Department. Mr. Chairman and Members of
13 the Board, thank you for the opportunity to be here and
14 for listening to the people today.

15 Every decision you make to allow tons of
16 air pollutants must be considered in light of our air
17 quality. Virginia currently ranks 20th in the United
18 States.

19 This air permit should be informed by the
20 precautionary principle which demands that measures be
21 taken that would protect vulnerable and sensitive
22 populations.

23 The air permit as currently drafted does
24 not apply this principle, nor is it protective of
25 people who reside around the compressor station. The

1 air permit rests on the assumption that the health of
2 people is universally protected by the National Air
3 Ambient Quality Standards.

4 We can argue about whether the permit
5 actually assures compliance with the NAAQS. I want to
6 emphasize that there is a large body of evidence in the
7 medical literature that demonstrates excess morbidity
8 and mortality even when the NAAQS are met.

9 Moreover, the permit and analysis fails
10 to consider known health impacts, including the
11 respiratory, cardiovascular, neurological and
12 dermatological symptoms reported by people who live
13 near compressor stations. Proximity to compressor
14 station predicts the prevalence of these symptoms.

15 The truth is the permit may be the
16 strictest permit in the country, and it will still
17 impose undue burden and cause harm to the people of
18 Union Hill.

19 I respectfully ask that you send the
20 permit back to the drawing board, that you require that
21 no harm be done to the people who reside right next to
22 it, and that you deny the permit. Justice demands no
23 less. Thank you again for the opportunity to speak.

24
25 MR. LANGFORD: Thank you, ma'am. Next?

1 MS. BERNDT: Floyd Miller.

2
3 MR. MILLER: Mr. Chairman and the Board
4 Members, good morning. My name is Floyd Miller, II. I
5 am the President and CEO of the Metropolitan Business
6 League, and I appreciate the opportunity to comment on
7 the air quality permit for the Buckingham Compressor
8 Station project.

9 The Metropolitan Business League is a
10 nonprofit organization that consists of over 500 small,
11 women and minority-owned businesses. We strongly
12 support the Buckingham Compressor Station project and
13 could not support this if we felt it had potential
14 damage to the Virginia environment.

15 I have a B.S. degree in safety and risk
16 administration. I have a master's in education, and
17 through my research, I feel that there is no potential
18 of damage to the environment, no evidence that this
19 could be detrimental to one's health, or noise effects.

20 Throughout the years, Dominion Energy has
21 always put safety first. As a consumer, I trust and
22 know that there are safeguards in place, as -- such as
23 continuous monitoring and adhering to extensive federal
24 guidelines.

25 And I am confident that the developers

1 will carry out the permit's strong requirements of air
2 quality protection. Thank you.

3
4 MR. LANGFORD: Thank you, sir. Next?

5
6 MS. BERNDT: Next group of speakers,
7 Karen Campblin, Guy Dixon, Sharon Ponton, Ron Wilcox,
8 and Lakshmi Fjord. Karen Campblin.

9
10 MS. CAMPBLIN: Good afternoon. Hi.
11 Thank you for the opportunity to be here. My name is
12 Karen Campblin, I am the Chair of the Environmental and
13 Climate Justice Committee or the VSC NAACP.

14 And I'm here today to express our
15 opposition to the granting of an air permit for the
16 Atlantic Coast Pipeline Compressor Station in the
17 historic Union Hill, Buckingham County, Virginia.

18 We provided written comments, which
19 presents our positions in greater detail, but I want to
20 go over a few details with you today.

21 The historic Union Hill is a suburban
22 community established by freed people after the Civil
23 War and is located in Buckingham County.

24 A few of its residents are direct
25 descendants of the freed people, and it's predominantly

1 African-American.

2 The proposed oversized compressor station
3 will significantly decrease the quality of life for the
4 Union Hill residents, and the mitigative measures
5 identified in the pipe -- let me start over there.

6 The mitigative measures identified in the
7 application do not protect the surrounding community
8 from exposure to air pollutants, increased noise and
9 vibration levels, and the soil and water contamination
10 the compressor station will present.

11 A project of this magnitude and scope
12 should be held accountable and must be required to
13 conduct cumulative assessment of the direct impacts
14 that can be -- that is associated with the pipeline as
15 well as the compressor station.

16 Unfortunately, the draft application did
17 not address a lot of the issues that are associated
18 with the project.

19 In this country, African-American, people
20 of color and low-income communities continue to be
21 disproportionately impacted by projects like this.

22 Projects that contribute to
23 African-American communities being at an elevated risk
24 of cancer due to exposure to air toxics emissions from
25 natural gas developments or African-American children

1 missing, on average, 101,000 school days due to asthma
2 and other respiratory illnesses.

3 It is critical that we stop this harmful
4 environmental injustice and begin to equitably enforce
5 all rules, regulations and standards that will protect
6 this community and the community of the Commonwealth of
7 Virginia as a whole.

8 As presented, this project does not do
9 that, but this Board can change that by voting to deny
10 the air permit and requiring a more thorough, accurate
11 and comprehensive analysis of the cumulative effects
12 associated with this oversized compressor station.

13 We also urge the implementation of a
14 proactive community outreach program with direct
15 communication with the residents and property owners
16 that are -- that will be directly impacted by this
17 project.

18 And when I say "directly impacted," I
19 mean adjacent to or within close proximity to the
20 project. Thank you.

21
22 MR. LANGFORD: Thank you, ma'am.

23
24 MS. BERNDT: Guy Dixon.

1 MR. DIXON: Good morning. My name is Guy
2 Dixon, and I'm here on behalf Kyanite Mining
3 Corporation. And I appreciate the opportunity to offer
4 my support on the air quality permit for the Buckingham
5 Compressor Station.

6 As you might know, the station -- as you
7 do know, the station is an integral part of the
8 Atlantic Coast Pipeline, and Kyanite Mining
9 Corporation, as well as many other businesses in
10 Buckingham and the Commonwealth at large, strongly
11 support this project.

12 We believe that our state and our
13 nation's continued economic health and growth depends
14 upon the secure -- depends upon the secure, reliable
15 and affordable sources of energy. This pipeline is key
16 to achieving that goal.

17 In addition to the significant overall
18 benefits to the state and to the nation alluded to just
19 now, this pipeline will have a direct and measurable
20 positive impact on the company that I represent, a
21 family-owned business that has been in business and
22 employed many people in Central Virginia for most of
23 the last hundred years.

24 The positive impacts are both economic
25 and environmental. They're economic because it is a

1 much cheaper source than the heavy fuel that we're
2 currently burning.

3 And it's environmental because it's far
4 cleaner than that fuel, lower sulfur, lower carbon and
5 lower particulate emissions will all result from this
6 switchover in fuels.

7 It is a win for the efficiency of our
8 operation and a win for the natural environment in
9 which we operate. Those don't come along very often.

10 And I have no doubt that it will also
11 help us compete in the evermore globally competitive
12 environment in which we operate and help us achieve our
13 goal of growing our business and continuing to offer
14 the good men and women of southside Virginia
15 meaningful, safe and well-paying jobs.

16 However, my family's business could not
17 support this project no matter how attractive it might
18 be from an energy standpoint if we felt that it had the
19 potential to damage Virginia's, much less Buckingham's,
20 environment.

21 We, after all, live, work, recreate and
22 socialize in Buckingham County, just a few miles, as
23 the crow flies, from the location of the proposed
24 compressor station.

25 Fortunately, we have no such concerns.

1 We are impressed with both Dominion's commitment to
2 protecting the environment and the DEQ's thoroughness
3 and dedication in reviewing this permit.

4 And I won't go over all of the things
5 that have been repeated over and over again about how
6 stringent the permit is and what a world-class example
7 this compressor station is going to be. Those things
8 have been said over and over again.

9 Anyway, to sum up, the Department of
10 Environmental Quality has worked hard -- oh, okay.

11
12 MR. LANGFORD: Thank you.

13
14 MR. DIXON: That's it. Thanks.

15
16 MS. BERNDT: Sharon Ponton.

17
18 MS. PONTON: Hi. My name is Sharon
19 Ponton. I work for the Blue Ridge Environmental
20 Defense League and with one of our chapters in
21 Buckingham County called Concern for the New
22 Generation.

23 I'm not going to read to you the energy
24 policy because it's already been pretty much talked
25 about here this morning, and so I won't read you the

1 exact words.

2 But I will remind you that Virginia
3 67.101 requires the State to complete and environmental
4 justice analysis, and that analysis has not been done
5 by the state. It has not been done by DEQ. They can't
6 rely on somebody else's environmental justice analysis.

7 They take money, DEQ takes money from the
8 federal government, and they have to prove that this
9 community is not being disproportionately impacted by
10 this pipeline and compressor station.

11 And I also want to talk about -- the
12 governor spoke out about a compressor station in
13 Maryland, not in Virginia, but in Maryland, because it
14 was going to affect the viewshed of Mount Vernon.
15 Well, what about the historic community of Union Hill,
16 which was created by freed slaves.

17 And there are descendants of those freed
18 slaves there today, but yet, the government -- the
19 governor remains absolutely silent on this issue, and I
20 would request that you not remain silent.

21 Until the community went and got the
22 attention of the Governor's Advisory Council or
23 Environmental Justice, Dominion had pretty much ignored
24 it.

25 There was a community advisory group, and

1 during that community advisory group that Dominion
2 created, they got to choose the paint colors of the
3 buildings. That was the impact that they wanted --
4 that Dominion allowed them to have.

5 Now, Samson went to the ACJ, and Ms.
6 Emily Rose is here, so I'm not going to go over all of
7 that either. Dominion suddenly started paying
8 attention to the Union Hill community, and what they
9 have done is they are now trying to buy this community
10 off.

11 What they called it is a support package,
12 but what it really is, is please sit down and be quiet
13 so that we can build our compressor station in your
14 community.

15 I would ask that you deny this permit. I
16 would also tell you that our chapter has filed a Title
17 VI compliant with the EPA regarding the environmental
18 justice analysis.

19 And that there is also a lawsuit going
20 through the court system right now regarding this
21 special use permit, and we are waiting for a court date
22 with the Virginia Supreme Court. Thank you very much.

23
24 MR. LANGFORD: Thank you, ma'am.

1 MS. BERNDT: Ron Wilcox.

2
3 MR. WILCOX: My name is Ron Wilcox. I am
4 from Fairfax, Virginia, and I represent the Northern
5 Virginia Tea Party, and my views represent Tea Party
6 values across the country and across the Commonwealth.

7 We feel that the Atlantic Coast Pipeline
8 is an essential element of our energy and
9 infrastructure in the Commonwealth, and so I would ask
10 the Board to approve the air quality permit.

11 And so this project is so very important
12 to our country and our economic development, and we've
13 seen what can happen with economic development in the
14 last year or so, and so I do ask this Board to approve
15 this permit. Thank you so much.

16
17 MR. LANGFORD: Thank you.

18
19 MS. BERNDT: Next group of speakers --
20 oh, wait, no, I still have speakers. Sorry. Lakshmi
21 Fjord, and you have nine minutes.

22
23 MS. FJORD: Good afternoon, I believe,
24 now. I so appreciate this opportunity to speak with
25 you directly. I am Lakshmi Fjord, and I am a

1 member of Friends of Buckingham, Yogaville community.

2 And I'm an anthropologist, retired, who
3 has put the last four years of my life on hold to
4 volunteer my experience as a trained anthropologist to
5 work on the omissions that were in all of the permits
6 given by the ACP of the community in which this site
7 was located.

8 So it is that there were not even a name,
9 there was no population, the location had no history.
10 It's apparently one of the only places in the world
11 that has no history whatsoever. There was a blank, an
12 absolute blank.

13 How do we know this? Well, I read every
14 word of every document. That's what happens when you
15 have to go through a Ph.D. program and you learn to
16 just digest so much.

17 So what did we have to do in order to
18 populate this place that was being erased by Dominion
19 quite deliberately? Now, you've all seen a couple of
20 things. I'm just holding them up to refer to things
21 that we've already filed with you.

22 On my right is the household study with a
23 map. I hope you've had a chance to see it. On the
24 left, are sort of short notes or our door-to-door
25 household study.

1 I'm going to refer to this first, which
2 you can't really see, but Dominion has always been
3 aware that there were a lot of people there because
4 this map that shows all those dots is from their
5 dom.com website, which I just took a screenshot of and
6 had -- you know, narrowed in and took a screenshot.

7 And we saw on the topo map that you folks
8 made that there was actually a lot of people there, but
9 somehow they disappeared when they got onto the
10 application.

11 So what we did -- and I want to point to
12 -- half of the people in here are part of our community
13 study, because none of this is paid, and what did we
14 do?

15 We had a senior member of Union Hill go
16 out with a student from the Virginia Student
17 Environmental Coalition, one of our allies, and we made
18 a map based on driving around -- it's very old school.
19 All of these roads -- and mapping out the 99 households
20 that everybody's been referring to. These are the data
21 that we're referring to.

22 Everything was done using NIH protocols.
23 We were asking about existing health conditions. You
24 now have a list of what those existing health
25 conditions are by the people who live there.

1 You now know that there are 650 percent
2 more people there than were applied for by Dominion and
3 then repeated some reason by FERC. No environmental
4 justice review was done. Many people have talked about
5 that.

6 But what does that look like on the
7 ground? What that looks like is by Dominion claiming
8 only the census track data for the entire average of
9 Buckingham of 29.6 people per square mile, that then it
10 made everything move.

11 It made -- no matter how many pollutants
12 are coming out, for some reason it's okay to pollute in
13 rural areas, but it erased the actual people there.

14 So we asked in our comments to Dominion,
15 and you heard about that, all of these issues about
16 their erasure, and the only response we got from
17 Dominion in their response was on page 16 of the
18 October 24, 2018, response to public comments.

19 Project site, again not named, project
20 site, and then population per square mile. Guess what?
21 It's still 29.6 people per square mile.

22 This is a case that -- it's sort of a
23 desperate situation that we find ourselves in where
24 when we came in the door, we were asked to sign were we
25 in favor or were we opposed, and I had the cheek to

1 say, I'm in favor of this Board using its powers to
2 deny this permit.

3 Why is the language in the default that
4 I'm in opposition? In other words, I want a yes. We
5 want proactive things.

6 We're planning a wonderful jobs
7 community, resilience, and equitable access to solar
8 projects in this place with the people themselves. The
9 farmers maybe being able -- you know, having solar
10 farms, us do doing weatherization projects.

11 This is something everyone in Union Hill
12 agrees on. The only thing we're not sure about is that
13 \$7 million that Dominion just said they were giving to
14 the community that nobody has been part of the day of
15 this meeting.

16 The same thing happened in the special
17 use permit, and I'm so glad we got that clarification
18 that the Board of Supervisors is not the final analysis
19 because in our public hearing, we were told over and
20 over again, punt it to the local people.

21 But what happened in that process where
22 we had presented all this -- the household data? This
23 is how we discovered that this was a freedman
24 community.

25 Nobody was talking about it that way.

1 That was never a word spoken until we had to go back
2 when they said there's nothing there, there's no
3 history there.

4 There was a zero -- I kid you not -- a
5 zero for cultural resource reports in Dominion's 2015
6 application.

7 And then they amended it in 2016 under
8 pressure and added three, and two of them were of the
9 exact same house. And it didn't even have their
10 graveyard next to it, and the third was not even in
11 Buckingham.

12 So that is what we're dealing with.
13 People think I'm not reading, but I am. And I'm seeing
14 how democracy is not happening. Equal participation is
15 not happening.

16 We would have loved to have access to
17 that air division to talk not about this new fossil
18 fuel infrastructure, not about a compressor station
19 that's going to take -- the emissions alone from this
20 toward climate change are one-third, 30 percent of what
21 we were hoping to reduce in Virginia.

22 We wipe out the books if you allow this
23 to happen, so this is the time when we have to ask
24 ourselves, is it really time to switch away from
25 putting our stranded assets into fossil fuels.

1 We have to take this time and chance, and
2 we're so proud that you, the Air Board, have -- that
3 our state gives you the right, the rules, the means, to
4 really look at these things closely.

5 You're not paid by Dominion's -- you
6 know, you're not paid by Dominion or you couldn't be on
7 this board.

8 So we ask you to exercise that
9 independence and to really think both in the short-term
10 about Union Hill, yes, but as we're saying back here,
11 we are all Union Hill, because it's really the case.

12 This is going to be taking the climate
13 change reductions away from everyone in Virginia. It's
14 just going to make it much more difficult for people
15 with asthma, for people with COPD, for these little
16 children, these -- you know, triplets who have
17 respiratory issues.

18 They'll be the front line. They're not
19 being talked about because we're told that this is
20 perfect, that nothing is wrong with this. I know that
21 you've carefully read what the experts have said about
22 the omissions, that there really sincerely are
23 omissions of protections, there are omissions in
24 monitoring.

25 And so we just -- we're in your hands,

1 and we thank you so much for your work, your
2 intelligence, and your shared concern for the
3 environment or you wouldn't be on this board. Thank
4 you.

5
6 MR.LANGFORD: Thank you, ma'am.

7
8 MS. BERNDT: Next group of speakers,
9 Steve Atkinson, Ruby Laury, Charles Tribble, and Jamshid
10 Bakhtiari.

11
12 MR. ATKINSON: Greetings to the State Air
13 Permit Control Board. My name is Steve Atkinson. I
14 appreciate the opportunity to give my comments today.
15 I ask you to approve the draft air permit for the
16 Buckingham County Compressor Station.

17 I have frequently voiced my support for
18 the Atlantic Coast Pipeline, and I have witnessed the
19 scrutiny this project has received throughout the
20 approval process.

21 Permit requirements for this facility are
22 significantly stricter and typically seen for a minor
23 source. Design and control technology will minimize
24 emissions to meet the standards set by DEQ.

25 In addition to conditions placed on this

1 project by Federal and state agencies, Buckingham
2 County approved 41 additional conditions after
3 significant feedback from local residents and community
4 stakeholders.

5 DEQ has proven repeatedly they are
6 thoroughly reviewing the ACP to ensure that the safety
7 and health of all Virginians is protected during and
8 after construction of the project.

9 They have allowed multiple comment
10 periods on different aspects of the project, including
11 several similar to this one. I am confident you and
12 your fellow members have the experience and knowledge
13 required to review the permit before you.

14 Dominion has a proven record of
15 accomplishment operating natural gas facilities,
16 pipelines and compressor stations in several states.

17 This draft permit goes beyond what is
18 typically required of compressor stations, and I ask
19 you to vote to approve it so construction can proceed
20 on this part of the project. Thank you again for the
21 opportunity to present my comments.

22
23 MR. LANGFORD: Thank you, Mr. Atkinson.

24
25 MS. BERNDT: Ruby Laury.

1 MS. LAURY: Thank you for the opportunity
2 to speak before you. I left my notes in the car, so
3 I'm going to try to wing it here.

4 My name is Ruby Laury, and I moved here
5 15 years ago with my husband who wanted to come back to
6 Buckingham County. After coming to Buckingham County,
7 I realized why he wanted to come back, because of its
8 beauty, the greenery, the clean, fresh air, no
9 pollution, and that's the way I like it.

10 And I hear people coming up saying that,
11 jobs. I'm not against jobs. We want people to have
12 jobs, but not at our expense.

13 These poisonous gases will be polluted
14 into the atmosphere, and people are saying, oh, it's
15 not going to hurt you. It's okay to breathe those
16 poisonous gases.

17 But after so many years, what's going to
18 happen? We're going to be suffering. There's -- like
19 people have said before, there are people with asthma.
20 No one has -- if you've seen a video of a blowdown, you
21 see people that have nosebleeds, headaches.

22 This is not right, and it's not fair.
23 Some people even say they have confidence in a machine.
24 A machine is subject to break down.

25 So I implore you to please stand up, be a

1 good steward of this earth. Like we -- like God put us
2 on this earth to be good stewards of it, to take care
3 of it, not pollute it.

4 I also want to say that some people say
5 that they wouldn't want to live in our community. Yet,
6 they come over and say, well, it's okay. It's good for
7 us to be there.

8 Also before my time runs out, I want to
9 say -- I want to thank people from all over the United
10 States that have come to our community to support us.

11 We have had our students from UVA and
12 also the students here in Virginia to come and support
13 us because they realize we need renewable energy, not
14 this fossil fuel that's going to affect our lives.

15 So I just want to say, shame on you
16 Dominion, shame on you FERC, shame on you DEQ, because
17 you know what is right.

18 And I thank God that he knows what's
19 right, and he's going to take care of us no matter
20 what, and I'm going to serve him until the day I die,
21 and I hope hopefully you will do the same thing.

22 Thank you, Board, for listening to me. I
23 appreciate it. God bless you and God bless you all.

24
25 MR. LANGFORD: Thank you, ma'am.

1 MS. BERNDT: Charles Tribble.

2
3 MR. TRIBLE: Good afternoon, Mr. Chairman
4 and Members of the Board. My name is Charles Tribble,
5 and I'm a resident of Henrico County.

6 Thank you for the opportunity to appear
7 before you today and voice my support for the
8 Buckingham Compressor Station air permit, and thank you
9 for your service to the Commonwealth. It's definitely
10 appreciated.

11 As a lawyer and a certified public
12 accountant with a few years in the Attorney General's
13 office, I might mention, I know that compliance with
14 laws and regulations is essential to the operation of
15 any business.

16 And among the most important laws and
17 regulations facing corporations in this country today
18 are those protecting the environment. I spent a
19 considerable portion of my career working at Dominion
20 Energy and retired from the company with the rank of
21 assistant controller.

22 Based on my years at Dominion Energy, I
23 am confident that they will meet the terms and
24 conditions of this very strict permit and make every
25 effort to operate this station in a way that protects

1 the environment.

2 While I was there, millions of dollars
3 passed across my desk designed to ensure the protection
4 of the environment. I also believe that the Department
5 of Environmental Quality has done a very good job of
6 making sure this permit fully protects Virginia's air
7 quality.

8 In fact, the DEQ itself in an
9 informational meeting in Buckingham County this summer,
10 said the standards in this document were the most
11 stringent for any compressor station in the nation.

12 I also understand that the limits in the
13 draft Buckingham permit are 4 to 10 times stricter than
14 the limits in any other permit recently issued for a
15 compressor station in Virginia.

16 This applies to a variety of substances,
17 from oxides and nitrogen, to carbon monoxide, to
18 volatile organic compounds.

19 Given these tough standards, I am frankly
20 surprised that some critics are calling for DEQ to
21 conduct an additional health risk and impact
22 assessment.

23 It's my understanding that the standards
24 of the permit are specifically designed to protect
25 human health. In fact, the air quality in Buckingham

1 will remain well below the National Air Quality
2 Standards set by the EPA with input from an independent
3 panel of noted scientists.

4 I see no reason for an additional study.
5 Frankly, I believe it would be a waste of valuable time
6 and money for the Department.

7 I'm also pleased that Dominion Energy
8 worked with Buckingham County to address local
9 government and community concerns about the facility.
10 I have learned that the company accepted 41 conditions
11 in the County's special use permit to address those
12 concerns.

13 These measures include steps to limit
14 noise and dust during construction, control noise at
15 site and maintain tree buffers to screen the station,
16 among others.

17 And finally, I would like to voice again
18 my strong support for the permit. And I urge you to
19 appreciate -- to approve it. Thank you.

20
21 MR. LANGFORD: Thank you, sir. Next?

22
23 MS. BERNDT: Mr. Bakhtiari. I'm not sure
24 how to pronounce it. I apologize.

1 MR. BAKHTIARI: It was close enough. My
2 name is Jamshid Bakhtiari, I live in Richmond,
3 Virginia. I'm the Virginia Fuel Coordinator for the
4 Chesapeake Climate Action Network.

5 And I'm before this body today to urge
6 you and the DEQ to deny the air pollution permit for
7 the Atlantic Coast Pipeline compressor station being
8 proposed in Buckingham County.

9 This 54,000 horsepower compressor station
10 is one of the largest ever proposed by Dominion Energy,
11 and it threatens the health of this majority black
12 community that has loudly resisted the project since it
13 was first announced.

14 I also urge state regulators to
15 immediately complete a thorough risk assessment prior
16 to any permitting and work with other state agencies to
17 conduct health risk and comprehensive health impact
18 assessments at the beginning of future permitting
19 processes.

20 This compressor station represents a
21 direct threat to our climate, but more importantly, it
22 serves as a direct attack on the livelihood of the
23 residents of Buckingham County's historic Union Hill,
24 an 85 percent African-American community.

25 This community has been the home of

America's first free men and women and remains the home of many of their descendants.

By placing a compressor station that is capable of spewing toxic levels of methane, nitrous oxide, particulate matter and other volatile organic compounds just miles from their homes and schools is nothing short of environmental racism.

This large community is also at risk of extreme eminent danger stemming from any emissions at the compressor station.

To avoid another situation like this, I urge the State Air Pollution Board and the DEQ to consider environmental racism in all future permitting decisions.

The DEQ and the Air Pollution Control Board has a unique and critical responsibility to protect the most vulnerable citizens from dangers of fossil fuels pollution.

In order to fulfill your duty as our state regulators, you must deny the air permits for these projects and protect this vibrant community.

Thank you.

MR. LANGFORD: Thank you, sir.

1 MS. BERNDT: Ready for the next batch?

2
3 MR. LANGFORD: Yes. What are we looking
4 at over there in terms of numbers and so forth? Still
5 got quite a lot?

6
7 MS. BERNDT: We've done 27, and we have
8 80-some.

9
10 MR. LANGFORD: Okay. So we will be
11 taking a lunch break.

12
13 MS. BERNDT: Do you want to break now?

14
15 MR. LANGFORD: No.

16
17 MS. BERNDT: Okay.

18
19 MR. LANGFORD: Probably 12:30.

20
21 MS. BERNDT: "12:30?" Okay.

22
23 MR. LANGFORD: Wherever a breaking point
24 is, we're comfortable.

1 MS. BERNDT: Okay. Next set. Rachelle
2 Whitacre, Marie Gillespie, Guy Dixon, Ella Rose, and
3 Beth Stockner.

4
5 MR. LANGFORD: While they come forward,
6 Ms. Berndt, what time do you recommend for the length
7 of the lunch break?

8
9 MS. BERNDT: I would say an hour --

10
11 MR. LANGFORD: Okay.

12
13 MS. BERNDT: -- for everybody to have a
14 chance to go get something to eat, get back.

15
16 MR. LANGFORD: All right. Thank you.

17
18 MS. WHITACRE: Good afternoon. Good
19 afternoon, Members of the Air Permit Control Board and
20 the DEQ staff. My name is Rachelle Whitacre, and I'm
21 the Director of External Affairs for Virginia Natural
22 Gas, speaking today on behalf of Jim Kibler of Virginia
23 Natural Gas.

24 Before I begin, I want to thank you for
25 the opportunity to speak this afternoon. Virginia

1 Natural Gas is a utility serving about 1 million
2 Virginians and approximately 299,000 gas meters from
3 Hanover east to Virginia Beach.

4 VNG has subscribed to service from the
5 Atlantic Coast Pipeline, and the Buckingham Compressor
6 Station is an integral part of the ACP. VNG strongly
7 supports this project.

8 VNG provides an essential service to an
9 area of Virginia where economic and human need has
10 increased the demand for additional natural gas
11 infrastructure.

12 The upstream natural gas system serving
13 Hampton Roads has reached its capacity. The region is
14 served -- is directly served by two interstate natural
15 gas transmission lines, both of which are decades old,
16 and fully subscribed, with no opportunity for low cost
17 expansion.

18 VNG's coastal geographic location also
19 places it at the very end of the energy line. The
20 region needs an additional upstream feed in VNG's
21 service area to supply major new industrial customers
22 and enable VNG optionality to purchase gas at the
23 cheapest price for its customers.

24 The Buckingham Compressor Station will be
25 fully equipped with safety systems and environmental

1 controls, it will comply with Federal, state and local
2 regulations and requirements.

3 Based on the application materials, the
4 developers have made a strong commitment to protecting
5 natural resources, and the DEQ staff also committed to
6 those standards as reflected in the draft air permit
7 requirements.

8 They require strict emissions limits,
9 collective catalytic reduction and a vent gas recovery
10 system that is designed to minimize the release of
11 natural gas into the atmosphere.

12 The Department of Environmental Quality
13 has diligently worked to ensure Virginians have clean
14 water and air. VNG applauds this work and encourages
15 the members of this Board to vote in support of moving
16 this project forward.

17 On behalf of Jim Kibler and VNG, I
18 appreciate the opportunity to offer comments on this
19 very critical matter. Thank you.

20
21 MR. LANGFORD: Thank you, ma'am.

22
23 MS. BERNDT: Marie Gillespie.

24
25 MS. GILLESPIE: Good afternoon. I am

1 Marie Gillespie, speaking on behalf of my husband and
2 myself as a concerned citizen, landowner and homeowner
3 in Buckingham, Virginia, a beautiful, tranquil historic
4 community approximately four-tenths of a mile from the
5 proposed air compressor station and immediately
6 adjacent to the ACP pipeline.

7 I'm concerned about the issuance of an
8 air permit for operation of the BCS, and I feel that
9 our quality of clean air will be compromised as
10 indicated by information given in the summary of
11 comments from the September two thousand -- 9/11
12 meeting.

13 Two points I would like to comment on,
14 and ask you to consider and then reject the request for
15 this air permit. My first concern is limited concern
16 for the environmental justice.

17 Upon relocation to Buckingham County, our
18 close proximity was to purchase property in the Union
19 Hill community.

20 And this was prompted by our desire to be
21 part of historic, well-preserved African-American
22 community recognizing the struggle and sacrifice of our
23 slave ancestry.

24 In your summary of the 9/11 meeting, you
25 indicated that objection to the site is not in your

1 scope, but they are -- it is.

2 One survey -- a survey which Dominion has
3 done will show that. Yet, we are then asked once again
4 to sacrifice our family life and the development of the
5 community, having the greatest health and economic
6 impacts that we had since slavery.

7 It matters that old unmarked graves will
8 be sacrificed and even destroyed. New York City was
9 building a new office when it was confronted by the
10 discovery of Africans buried in the site where they
11 were working.

12 So they halted their building, they
13 revised the blueprint and developed a cultural African
14 museum on the site.

15 No mention in the summary of 9/11 for a
16 proposal how we would just fully and honorably deal
17 with the Union Hill graves.

18 African-American burial grounds have the
19 oldest and the most well-known burial grounds in North
20 America for both free and enslaved Africans.

21 There is a need to include descendants'
22 comments when you salvage and excavate, especially when
23 human remains are concerned.

24 Journalist Edward Rothstein wrote: Among
25 the scars left by heritage of slavery, one of the

1 greatest is an absence: Where are the memorials, where
2 are the cemeteries, where are the architectural
3 structures or sturdy sanctuaries that typically provide
4 the ground for a people's memory.

5 Residents in the Union Hill area are
6 comprised of mostly African-American senior citizens
7 with limited income.

8 Many are unsure about what's going to
9 happen to them regarding the pipeline and the
10 compressor station.

11
12 MR. LANGFORD: Thank you, ma'am.
13 Appreciate it.

14
15 MS. BERNDT: Guy Dixon. Whoops, there --
16 yeah, there is a Guy Dixon. We're now trying to
17 make sure we don't have the same Guy Dixon talk
18 twice or he filled out two cards. Guy Dixon? All
19 right. Next. Ella Rose.

20
21 MS. ROSE: Good morning. My name is Ella
22 Rose, and I live in the Union Hill neighborhood in
23 Buckingham.

24 My home is within 150 feet of the land
25 that Dominion purchased for the Buckingham Compressor

1 Station. I would be severely impacted. I have many
2 concerns. Some of which I am told by the DEQ air
3 permit staff that they will not consider.

4 I feel that the people who live in this
5 neighborhood who will be giving up so much, need to
6 have all of their concerns considered.

7 We are human beings whose lives will be
8 changed forever by the decision you make, so although
9 we may tell -- although you may tell us that you will
10 only consider air emissions and not how they will
11 affect our health, and all of the other negative
12 effects we will be forced to live with, I am asking you
13 to also think about us.

14 And whether this location is the best
15 place to put this highly toxic, poisonous, noisy
16 compressor station. Would you want to live here? And
17 yet, it is okay for us.

18 Your decision will change my life and my
19 neighbors' forever. I live in a quiet rural place that
20 I love and feel safe in. I have family nearby, and we
21 watch out for each other. I cannot even imagine living
22 anywhere else.

23 The thought of breathing poisonous air
24 and listening to the constant roar and rumble of a
25 compressor station so close by for the rest of my life

1 is an unbearable future.

2 I feel abandoned to a process that has
3 not served me or considered my human rights. These
4 past four years have been stressful for me because my
5 future had been put on hold.

6 This is not the plan I had for my
7 retirement, and it is disheartening to know that what I
8 had worked for all of my life to own a home and to live
9 in peace, will be taken away from me if I am forced to
10 live with this large, noisy, polluting compressor
11 station nearby. Thank you.

12
13 MR. LANGFORD: Please, no applause.

14
15 MS. BERNDT: Beth Stockner.

16
17 MS. STOCKNER: Hello. How are you all
18 doing today? On behalf of Virginia Oil and Gas
19 Association, I appreciate the opportunity to submit
20 comments on the draft permit for the Buckingham County
21 Compressor Station.

22 As you know, the station is an integral
23 part of the Atlantic Coast Pipeline. VOGA, along with
24 many other members of the Commonwealth's business
25 community, strongly support the project.

1 We believe our state's continued economic
2 health and growth depends on secure, reliable and
3 affordable supply of energy.

4 The Atlantic Coast Pipeline is a key to
5 achieving that goal. Dominion Energy has demonstrated
6 the station's emissions even when the facility is
7 operating at maximum will not adversely impact Virginia
8 air quality.

9 We appreciate the patience your
10 department has shown in reviewing the ACP project, and
11 we are confident the developers will meet and exceed
12 the permit's strong requirements for air quality
13 protection. Thank you.

14
15 MR. LANGFORD: Thank you, ma'am.

16
17 MS. BERNDT: Let's do a couple more to
18 get to 12:30.

19
20 MR. LANGFORD: Yeah. That will be good.

21
22 MS. BERNDT: Craig White and John Laury.
23 Craig White and John Laury.

24
25 MR. WHITE: I'm already here.

1 MS. BERNDT: Oh, you're -- well, okay.
2 Craig White. If you're there, okay.

3
4 MR. WHITE: Good afternoon. My name is
5 Craig White. I am not only from Buckingham, but I grew
6 up in what we are talking about as the Union Hill
7 community.

8 I am very committed to that community,
9 it's where my parents -- where not only did I grow up,
10 my parents live, my family live, my neighbors, and I --
11 and everyone.

12 I recognize a lot of people here, and
13 throughout the last year, we've had a lot of meetings,
14 meetings in churches, libraries, schools. One meeting
15 even in a beauty salon.

16 And there's just been so much protest, so
17 much discussion, and a lot of things have gotten
18 distorted. There have been some scare tactics, some
19 facts that have gotten distorted.

20 Union Hill Church is a predominantly
21 minority church, that's true, but the Union Hill
22 community is a diverse community.

23 In the 2-mile radius of where we're
24 talking about putting the compressor station, it's
25 actually 60 percent white, not black.

1 And throughout all the protests, a group
2 of us decided that it would be instrumental to our
3 community to have some dialogue with Dominion.

4 Some people said that we turned our backs
5 on the community. Some people said we didn't care
6 about the community, but it's the opposite.

7 We care so much about the community that
8 we put a panel together to go out and have positive
9 communication with Dominion.

10 And through that communication, that
11 dialogue, we feel as though we have gotten some
12 commitment to the community. We feel as though we have
13 gotten commitment about jobs. We've gotten commitment
14 about a positive footprint in our community, because --
15 I'm a Christian.

16 And I -- there's two things that are
17 inevitable, and that's God's love for each and every
18 one of us and change.

19 And there's two outcomes -- there's only
20 one outcome to this. Either they're going to get the
21 permit or they won't get the permit.

22 So we feel as though through the -- so we
23 felt we had to have this communication, and we're
24 moving forward with the communication.

25 And there's a lot of people in our

1 community that feel as though positive communication
2 with Dominion is a good thing.

3 There's a large group of people there.
4 You know, they're -- they support dialogue with
5 Dominion.

6 And we -- we're making progress with
7 that, so there is some -- could be a positive outcome
8 to this with Dominion. Thank you very much.

9
10 MR. LANGFORD: Thank you, sir.

11
12 MS. BERNDT: Time for one more?

13
14 MR. LANGFORD: No applause, please. We
15 have time for one more speaker.

16
17 MS. BERNDT: All right. Derrick Hollie.

18
19 MR. COMMON: I'm Jerry Common, I live in
20 Cumberland County. I thank this DEQ Board for being
21 here. I also thank FERC and friends of -- we've got a
22 project going in Mountain Valley Lateral. We have been
23 shut down on spread G because of so much water.

24 So these boards do their job.
25 Transporting materials, liquids and vapors by pipeline

1 is a reliable, safe, silent, flexible and cost
2 effective means of transportation.

3 Without the advanced complex pipeline
4 system and the technology, and the people who make it
5 possible, the modern world would be vastly a different
6 place.

7 Since they serve both as a conveyor and a
8 temporary container for the goods, much of the wear and
9 tear that plagues other systems is eliminated.

10 And the savings can be passed on to
11 consumers in the form of lower rates. Routine testing,
12 maintenance, rehabilitation help to ensure that
13 pipelines remain the safest form of transportation.

14 I'm with the operating engineers, we put
15 these lines in, we maintenance them and repair, that's
16 all we do. So I thank you for your advice, your
17 leadership, and thank you.

18
19 MR. LANGFORD: Thank you, sir. It's
20 12:28. I propose we take a one-hour lunch break.
21 We'll reconvene at 1:30.

22 (Lunch Recess taken at 12:29 p.m. to 1:30
23 p.m.)
24

25 MS. BERNDT: So, Mr. Chairman, the next

1 set of speakers -- several people have confronted me,
2 we will have two people in favor right away because
3 there were opposed at the end last time, not something
4 -- so we have two people in favor, two people opposed.

5 So the next few speakers are Derrick
6 Hollie, David Christian, Susan Miller, George
7 O'Connell, and Kendra Anuha. First up is Derrick
8 Hollie.

9
10 MR. HOLLIE: I get to go first. But I'm
11 Derrick Hollie, I'm President of Reaching America, an
12 organization developed to address complex social issues
13 impacting the African-American community.

14 I appreciate this opportunity to submit
15 comments on the draft air quality permit for the
16 Buckingham Compressor Station.

17 Most would agree the station is an
18 integral part of the Atlantic Coast Pipeline, and like
19 others in the business community, I'm in strong support
20 because of the state's continued economic health and
21 growth depends on a supply of secure, affordable and
22 reliable energy.

23 And the pipeline is key to achieving that
24 goal. One of the issues Reaching America does the most
25 work on is reducing energy poverty across the board.

1 Energy poverty occurs when households are
2 unable to afford their basic electric and heating needs
3 because of high energy prices.

4 High energy prices are a struggle for all
5 segments of the population, and for the black
6 community, it's even worst.

7 And we all know someone who's living like
8 that month to month. Now, here's a thing. This is
9 real talk.

10 We would not support this project no
11 matter how attractive it might be from an energy
12 standpoint if we felt it had potential to damage
13 Virginia's environment.

14 Fortunately, we have no such concerns.
15 We're impressed with the commitment to protecting our
16 natural resources.

17 Also equally impressed with the
18 thoroughness and dedication the Department has brought
19 to reviewing the ACP environmental impacts, and
20 willingness to take the steps to ensure those impacts
21 are held to an absolute minimum.

22 I'm a licensed captain, and protecting
23 the environment is the utmost importance to me. We've
24 talked about the emissions, everybody's repeated that.

25 We've talked about the regulations are 10

1 times more strict, and we've all talked about it. I
2 won't repeat it.

3 But these stringent limits will help
4 ensure Virginia's air remains clean and healthy as we
5 expand our needed energy infrastructure.

6 I want to share this. One summer while I
7 was in college, I had the opportunity to work for a
8 power plant in Chesapeake, Virginia.

9 And even back then, protecting Virginia's
10 environment was their priority. They did right by the
11 residents of Chesapeake, and they continue to do so
12 even today.

13 Also the Federal Energy Regulation
14 Commission is required to look at environmental
15 justice. They found minorities along the 600-mile
16 stretch of the pipeline are not disproportionately
17 impacted.

18 The only way to avoid impacting minority
19 communities would be to restrict the path to white
20 communities only. ACP is running near Wintergreen.

21 Is that targeting rich white people? ACP
22 picked Buckingham County because it's near the
23 intersection of the Transco pipeline.

24 That's the affordable reliable energy
25 necessary for Virginia's future. Thank you.

1 MR. LANGFORD: Thank you, sir.

2
3 MS. BERNDT: David Christian.

4
5 MR. CHRISTIAN: Good afternoon, Mr.
6 Chairman, Members of the Board. I thank you for the
7 opportunity to appear before you today.

8 My name is David Christian, and I'm a
9 resident of James City County, Virginia, and a lifelong
10 resident of the Commonwealth, and I want to express my
11 strong support for the air permit before you now for
12 the Buckingham Compressor Station.

13 As a Dominion Energy retiree, having had
14 several positions of executive leadership, I'm very
15 familiar with environmental permitting including air
16 quality permitting and responsibility for the
17 construction and compliant operation of Virginia City,
18 Bear Garden, Warren County and Brunswick County Power
19 Stations.

20 And I believe based on my experience that
21 the permit you are considering today is one of the
22 most, if not the most, stringent that I have ever
23 encountered.

24 I commend the DEQ for developing such a
25 comprehensive set of requirements and standards, and I

1 applaud the company for accepting those standards.

2 I will strive to not repeat what others
3 have said, but I believe that some aspects and some
4 elements of the permit are worth repeating.

5 As the DEQ itself said in August, this
6 permit may be the strictest on any compressor station
7 in the country.

8 This is true for a spectrum of regulated
9 emissions, including nitrogen oxide, CO and VOCs. I
10 have to tell you, I'm impressed with the engineering of
11 the power station, which in itself, limits the
12 emissions with the use of clean-burning combustion
13 technology and the use of SERs for the control NOx.

14 And the station will use procedures to
15 isolate and control pressures to limit methane emission
16 during maintenance.

17 Prior to my return, I was the Chief
18 Innovation Officer for Dominion, and the commitment to
19 innovation that I saw in our company I believe is
20 reflected in the station's design and its use of
21 emissions control technologies.

22 I believe that the Buckingham Compressor
23 Station is an integral part of ACP, and once it begins
24 operation, will be an important step forward not just
25 for Dominion Energy but for the entire Commonwealth.

1 An often overlooked benefit of the
2 Atlantic Coastline Project is the ability to provide
3 reliable backups that must serve as a backup for
4 renewable resources which are vastly expanding in the
5 Commonwealth.

6 I'm pleased with the great strides the
7 Commonwealth and Dominion Energy are making. Thousands
8 of megawatts of solar are either in operation or
9 planned.

10 A test offshore wind turbine 25 miles off
11 the coast of Virginia Beach, the first in the
12 Mid-Atlantic, is moving forward.

13 However, these units have variable
14 outputs and must be backed up at all times, and today
15 the only source -- the only new source of generation
16 capable of providing that backup is natural gas, a fuel
17 with much lower emissions, including CO2, than any
18 other fossil resource.

19 You see, the Commonwealth and even the
20 country is in a decarbonization mode, generations being
21 decarbonized, and eventually, this will facilitate the
22 decarbonization of the transportation sector.

23
24 MR. LANGFORD: Thank you, sir. I believe
25 your time is expired.

1 MR. CHRISTIAN: Okay.

2
3 MS. BERNDT: Susan Miller.

4
5 MS. MILLER: Good afternoon. I hope you
6 had a good lunch. I am Dr. Susan Miller, a family
7 physician. I represent The Virginia Clinicians for
8 Climate Action, which is the Virginia branch of the
9 national organization The Medical Consortium for
10 Climate and Health, which is composed of the AMA, the
11 American College of Physicians, the American Academy of
12 Family Physicians, ACOG, which is the obstetricians,
13 and 27 other national medical groups.

14 We are health care providers educating
15 the public about the harms of climate change to human
16 health including excess deaths from air pollution, heat
17 illness, superstorms, water contamination, and spread
18 of diseases via ticks and mosquitos, etcetera,
19 expanding their range.

20 Physicians oppose the building of the
21 compressor station and the pipelines in Union Hill or
22 anywhere on the basis of their negative impact on the
23 health of the community in Union Hill.

24 The health of those near fracking sites
25 where miscarriage rates are related to proximity to

1 fracking sites, and the health of the global community,
2 which was decreased CO2 from burning fossil fuels in
3 the next 12 years.

4 The medical consortium and Virginia
5 clinicians request you think not just about the local
6 effects of this compressor station, but the effects on
7 all of us by the continued burning of fossil fuels, and
8 that you deny this permit. Thank you.

9
10 MR. LANGFORD: Thank you, ma'am.

11
12 MS. BERNDT: George O'Connell.

13
14 MR. O'CONNELL: Mr. Chairman and Members
15 of the Board, I wish to take this time to thank you all
16 for your very thorough and detailed investigation into
17 this project, and the opportunity for the public,
18 either for or against, to give us all a chance to speak
19 and express our concerns.

20 I am here today to speak in favor of. I
21 live in Louisa County. I'm a retiree of the North Anna
22 Power Station and have had much past experiences in
23 dealing with DEQ representatives, the Nuclear
24 Regulatory Commission or Corps of Engineers or the FERC
25 or other agencies, state and local agencies.

1 And I have found all the agencies that I
2 have just mentioned to be very thorough and
3 professional and very detailed in investigating any
4 issues that might have an adverse impact on anyone in
5 the community.

6 So again, I want to commend you for that,
7 and I support the project and request that you please
8 approve the permit. Thank you.

9
10 MR. LANGFORD: Thank you, sir.

11
12 MS. BERNDT: Kendra Anuha. Last call,
13 Kendra Anuha. Okay. The next set of speakers. Alexis
14 Jones, David Ball, Matthew Koch, Daryl Downing. Alexis
15 Jones first.

16
17 MS. JONES: Hi. Good afternoon. I'm
18 Alexis Jones. I'm a licensed professional soil
19 scientist and have a master's degree of science, soil
20 science and environmental science.

21 I live in Greenville County, within the
22 locality of Emporia. I consult with Greenville County
23 and Mecklenburg County.

24 I also consult for MicroSoft Corporation.
25 We have sites in Boynton, Virginia, and Loudoun County.

1 I, as a consultant, work daily with the DEQ, the Army
2 Corps of Engineers and the Environmental Protection
3 Agency assisting clients such as Dominion to obtain
4 these permits.

5 I fully agree and back Dominion in their
6 due diligence process to obtain these permits. I've
7 worked with them hand-in-hand on their sites in
8 southern Greensville County where we have assisted them
9 in getting utilities to these sites.

10 And I've also worked with large economic
11 industries that partner with Dominion to look at areas
12 in the Commonwealth of Virginia to select their sites.
13 One of them is MicroSoft.

14 And when you look at the availability of
15 utilities in southern Virginia, a very rural,
16 economically depressed area, we have a hard time coming
17 by these resources in our area.

18 In knowing what the global site selection
19 team works with in MicroSoft in looking for those
20 sites, they look for partners like Dominion Energy to
21 bring large economic scale developments to our area.

22 I have worked very closely with Dominion
23 throughout this process, and I am very committed to
24 know that they do everything that's required by the
25 state and Federal regulations. Whether it's wetlands

1 permitting, air quality, threatened endangered species,
2 historical archaeological resources, they follow every
3 guideline provided.

4 And I commend you, as the Department of
5 Environmental Quality, I work with you on a daily
6 basis, on what you do to protect the human health, the
7 environment of the Commonwealth of Virginia.

8 And I fully support this project and all
9 of the endeavors that are brought to you by Dominion
10 Energy and other large economic developments in the
11 Commonwealth of Virginia. Thank you.

12
13 MR. LANGFORD: Thank you.

14
15 MS. BERNDT: Matthew Koch.

16
17 MR. KOCH: Good afternoon. I'm Matthew
18 Koch, and I'm from Falls Church, Virginia, and I
19 represent the U.S. Chamber of Commerce.

20 I am commenting in support of the
21 Atlantic Coast Pipeline. I'm a Virginian and urge the
22 State of Virginia to approve and grant the minor
23 resource review use permit for the Atlantic Coast
24 Pipeline, Buckingham Compressor Station, without delay.

25 The Buckingham County Compressor Station

1 project is a key component with ACP. The project is
2 central towards providing clean, low-cost energy to
3 underserved regions of Virginia and North Carolina.

4 To protect Buckingham County community
5 and all Virginians, DEQ included in this permit the
6 most stringent emissions requirements for a compressor
7 station in Virginia and throughout the company.

8 In response to public comments, DEQ
9 rightfully concluded the Federal Clean Air Act, the
10 National Air Quality Standards, the State Air Pollution
11 Control Law, the State Air Pollution Control
12 Regulations were established and designed to protect
13 the environment for all people.

14 As drafted, the proposed permit for the
15 Buckingham County Compressor Station will ensure
16 compliance with those air quality law standards and
17 regulations to protect the health and the environment
18 for residents in Buckingham County and throughout the
19 Commonwealth.

20 Dominion has agreed to beat the strict
21 emissions limits and utilize advance control
22 technologies required to ensure that the compressor
23 station will not adversely impact air quality.

24 Working closely with DEQ, Dominion Energy
25 has thoroughly and carefully planned this project, and

1 its operations are well designed to minimize the
2 emissions, reduce risks and impacts to the environment
3 and human health.

4 DEQ's own air quality assessment of the
5 potential impact of the compressor station on NAAQS --
6 or NOx, PM2.5, PM10, carbon monoxide and ozone
7 demonstrate that the Buckingham County air quality
8 remains safe and any emissions will be well below EPA's
9 threshold for danger to human health.

10 In fact, the DEQ analysis points out that
11 the project's worst case daily impact increases ozone
12 by only 1.4 parts per billion to 60.14 parts per
13 billion, remaining well below the 8-hour ozone max
14 standard of 70 parts per billion.

15 Furthermore, DEQ acknowledges that while
16 they don't have the authority to regulate methane,
17 methane reduction would be realized as a co-benefit of
18 DEQ's regulation of VOCs.

19 The Atlantic Coast Pipeline is critical
20 in Virginia. It is important to ensure that ACP is
21 built so that access to reliable, clean, cheap energy
22 supplies is improved, so that jobs are created, costs
23 to consumers, hospitals and schools are reduced, and
24 the less fortunate in our communities are helped.

25 I'll reiterate, Dominion has agreed to

1 meet the strict emissions limits and will utilize
2 advance control technologies required to assure that
3 the compressor station will not adversely impact air
4 quality.

5 As good corporate citizens, Dominion has
6 worked closely with DEQ to thoroughly and carefully
7 plan the ACP compressor station.

8 DEQ has concluded that the project's
9 operations are well designed to minimize emissions and
10 reduce the risk of impact to the environment and human
11 health, and our own analysis demonstrates that the
12 project will not exceed health-based air quality
13 standards.

14 ACP and the Buckingham Compressor Station
15 are vitally important projects for supplying clean,
16 natural gas to Virginians. I support DEQ's
17 recommendation that the Board grant the permit.

18
19 MR. LANGFORD: Thank you, sir.

20
21 MS. BERNDT: David Ball is going to come
22 back up. Alfred --

23
24 MR. LANGFORD: I don't think your mic is
25 on.

1 MS. BERNDT: There it is. I'm loud
2 without the mic. David Ball, you have six minutes,
3 then Alfred Mistr, Daryl Downing, and Greg Buppert.
4 Mr. Ball, six minutes.

5
6 MR. BALL: All right. Board Members and
7 Mr. Paylor, thank you very much for allowing me to
8 speak today.

9 I do want, first of all, want to correct
10 something on the transcript from September's meeting.
11 I am not a former solar board member, but a soil and
12 water conservation district director.

13 And, Mr. Paylor, we've been at the state
14 association meeting a number of times. We've worked
15 with each other.

16 First off, I have a number of college
17 degrees. One in science, that is a geology major,
18 chemistry minor, and I've worked in engineering and
19 construction for VDOT, Fairfax County Department of
20 Environmental Management.

21 I've also worked for major developers in
22 Northern Virginia. I do want to take issue with a
23 comment that Supervisor Bryan made about our fire and
24 rescue abilities to meet this demand.

25 We have a crisis there. If you run

1 through the minutes of the Buckingham County Board,
2 you'll find citizens complaining about the fact that
3 people are dying because nobody is showing up for EMT
4 service.

5 And we desperately have a crisis because
6 our -- we don't have anybody volunteering. It's all
7 volunteer, not county controlled.

8 It's not really funded by the county.
9 It's independent, so they don't have the capacity to
10 meet the need if there is a crisis.

11 And in Oklahoma, there is a case where a
12 board of supervisors made a false representation to the
13 public and to the pipeline. They had a pipeline
14 disaster, and those -- that pipeline company sued those
15 directors.

16 And they are being held fiscally
17 responsible for their actions, because they listened to
18 everybody.

19 In 2015, when this came out, I pointed
20 out a lot of flaws with the pipeline design. First of
21 all, the 3600 -- 36,000 horsepower pipeline station,
22 compressor station, was bumped up to 57 after they
23 reviewed my comments.

24 And I'm sure it could go higher, to 70,
25 or even higher than that. The jobs are limited to

1 construction.

2 There's going to be no one at the
3 station, so there's going to be no long-term jobs.
4 It's all going to be automated.

5 They expect to use it for only 12 years.
6 It crosses several watershed dam inundation zones, so
7 there's nothing there that's addressed that.

8 We have a problem with Bermuda Highs here
9 in Virginia, which for weeks will stay at the air max,
10 and so that station will be cranking at max, pumping
11 out toxic air and things like hexane, which are a
12 neurotoxin in heavy concentrations, and formaldehyde,
13 which is a necrotizing agent for flesh and lung tissue.

14 And that air will just sit. It becomes
15 stagnant. The air doesn't move. There's no air flow,
16 and it just sits.

17 And if you want to get an example, just
18 set a hot plate with those two chemicals together and
19 your car running in a shut garage, and you'll have a
20 pretty good idea what we're asking them to breathe.

21 There's impounding air with a station
22 that would be toxic, so if we tried to impound the air
23 there, nobody could enter there without a suit and
24 oxygen mask.

25 And the ACP is not needed because Transco

1 said that they could meet the supply and demand for now
2 and for years to come.

3 The Kyanite Mine is coming from Colonial
4 Pipeline. All the local stations have been upgraded to
5 natural gas, and 80 percent of the power in Buckingham
6 County could be supplied by the solar farm that's now
7 in the county.

8 That's in-phase in construction, so we're
9 talking about something that's not needed. Basically,
10 it is a common carrier and not a utility, but they've
11 been parading themselves as a utility, which is false.

12 So if you go to the UCC and Federal
13 Transportation, you will see a pipeline is a common
14 carrier just like a bus, truck, et cetera.

15 Also, the ACP paid very little for
16 easements in the county, which really left a lot of
17 people short on cash.

18 But a few select people got some really
19 big cash payoffs, and one of those was actually one of
20 our supervisors who had several land deals with some
21 partners and got a good piece of cash for that.

22 And the ACP is not going to provide
23 service staff unless we come up with \$8 million to get
24 that service staff to provide the utility service to
25 the county residents.

1 And Buckingham County has a superfund
2 site on it already, and I don't think we need a toxic
3 air site to add to that.

4 I can tell you that when somebody smells
5 the stuff -- my mother lives in Williamsburg,
6 and Westpoint -- when the wind's just right, she's 20
7 miles away, she can smell Westpoint at her house, in a
8 very upscale Williamsburg community.

9 But I have talked many times about the
10 fact that there is a much better way to do this. Out
11 460, from Chesapeake, all the way out to Lynchburg,
12 we'll pay for the widening that nobody says they can
13 afford between Petersburg and Surry. Take 501, go
14 around on the north side above the dam, cross
15 over, follow over to Altavista, follow 60 out 81
16 and out 64. You don't have to touch private property
17 or take people's property rights.

18
19 MR. LANGFORD: Thank you, sir.

20
21 MS. BERNDT: Alfred Mistr.

22
23 MR. MISTR: Good afternoon, Mr. Chairman,
24 Members of the Board. I'm Fred Mistr, resident of
25 Chesterfield County.

1 I'm here today to ask you to approve the
2 air permit for the Buckingham Compressor Station. In
3 interest of full disclosure, I am a retiree from
4 Dominion Energy, having spent 39 years with the
5 company.

6 I noticed many of my fellow retirees are
7 here today, as well. That's because we know the energy
8 industry and the challenges facing it and have
9 confidence that the company can meet these challenges.

10 One of the biggest challenges in
11 providing energy to a growing state while protecting
12 the environment, as anyone who has spent any time in
13 the business knows, energy must be transported to where
14 it's needed. Otherwise, it's useless.

15 That's true for electricity, and it's
16 also true for natural gas. The Atlantic Coast Pipeline
17 and the compressor station needed to make it work are
18 vital pieces of the improved gas transportation system
19 that Virginia urgently needs.

20 At the same time, energy transportation
21 is just like energy generation, has to be regulated to
22 ensure that it protects the environment.

23 I've reviewed the draft permit, and I'm
24 convinced that we'll do an excellent job of making sure
25 the compressor station's operations do nothing to harm

1 the Commonwealth's air quality.

2 One important point in my view is the
3 very tight emission limits imposed on the facility by
4 the DEQ. Other speakers will note this point, but it
5 bears repeating.

6 The limits in the Buckingham permit are 4
7 to 10 times more stringent than the limits in any other
8 recently issued permit for a compressor station of any
9 size in Virginia.

10 Since I'm from an engineering
11 background -- I was a registered professional engineer
12 in the Commonwealth for many years -- I am particularly
13 impressed with the way the station has been designed to
14 hold emissions to a minimum.

15 We will ensure that the station will have
16 no problem meeting the tight limits in the permit. For
17 example, this turbine design gives us clean burning
18 technology to minimize the discharge of NOx, a
19 byproduct of combustion.

20 Its equipment and operation are also
21 designed to hold down methane emissions. Periodic
22 maintenance, blowdowns, will be required.

23 But the station will lower the pressure
24 in the lines as much as possible before such events to
25 reduce methane releases.

1 It will also use a pressure management
2 vent gas reduction system to reduce the amount of gas
3 that's taken from the station.

4 So I have no doubt that this permit and
5 design operations of the station --

6
7 MR. LANGFORD: Sir? Sir, your time has
8 expired. Thank you.

9
10 MS. BERNDT: Daryl Downing.

11
12 MR. DOWNING: Good afternoon. My name is
13 Daryl Downing. I served as an Air Force officer for
14 24 years. I swore to defend the Constitution against
15 all enemies, foreign and domestic.

16 My country still needs defending from
17 domestic threats. There are two regulated monopolies
18 willing to sacrifice the health and well-being of an
19 African-American community for corporate profits.

20 This is shameful and racist. Shameful
21 and racist. It is imperative that this Board do the
22 right thing and deny this permit.

23 If you allow this compressor station to
24 be built in Buckingham, it will cause irreparable harm
25 to this community and will exacerbate the global

1 climate crisis. Thank you.

2
3 MR. LANGFORD: Thank you, sir. No
4 applause, please.

5
6 MS. BERNDT: Greg Buppert, and he has
7 15 minutes.

8
9 MR. LANGFORD: 15 minutes, Mr. Buppert.
10 15, 1-5. Thank you.

11
12 MR. BUPPERT: I promise not to talk for
13 15.

14
15 MR. LANGFORD: I'll thank you for that.

16
17 MR. BUPPERT: Members of the Board, my
18 name is Greg Buppert. I'm a lawyer with the Southern
19 Environmental Law Center. I want to talk to you about
20 three things.

21 I want to talk to you about the Board's
22 authority to consider environmental justice, the
23 Board's authority to consider greenhouse gases, and
24 third, technical issues with the permit.

25 I have provided Ms. Berndt with a packet

1 of each of the statutes that I'll talk about, and so
2 you have those statutes to refer to.

3 The Board has an obligation to consider
4 the environmental justice problems caused by this
5 compressor station.

6 Virginia law requires the Board to
7 consider the suitability of the proposed activity to
8 the area where it's located.

9 That same statute also requires the Board
10 to consider the harm to the safety and health of people
11 caused by that activity. You have a copy of that
12 statute.

13 These factors, site suitability, and harm
14 to the safety and health of people, are the components
15 of environmental justice.

16 And the Board has the authority to
17 consider those with this permit. In fact, there's a
18 very strong argument that the Board must consider
19 environmental justice.

20 Back in 2014, the General Assembly made
21 it a policy of the Commonwealth that environmental
22 justice be considered in the development of energy
23 resources of facilities.

24 Just this year, Governor Northam's new
25 energy plan says Virginia is dedicated to ensuring that

1 there are not disproportionate impacts on
2 economically-disadvantaged or minority communities
3 during the siting of energy resources.

4 Can the Board ignore this clear
5 instruction from the General Assembly and the
6 government? The answer to that question is, no.

7 The bottom line here is that the Virginia
8 energy policy describes the kind of state we want to
9 have, one where environmental justice means something
10 when decisions are made.

11 Let's talk about Union Hill. Many
12 speakers today have talked to you about the character
13 of the Union Hill community.

14 It's predominantly African-American.
15 It's more densely populated than general county-wide
16 data would suggest, and there are clusters of
17 households right around the proposed compressor.

18 Elderly residents have higher rates of
19 chronic respiratory illnesses, and this is also an
20 historic community founded by freedmen at the end of
21 the Civil War in a community that Preservation Virginia
22 called one of the most endangered historic places in
23 our state.

24 Against this backdrop, let me put words
25 to the problem facing the Board today. We know this

1 compressor station will cause pollution, and we
2 know that some of that pollution will be toxic, like
3 formaldehyde and hexane.

4 We know that exposure to those pollutants
5 affects human health. We know that a minority
6 community literally lives right down the street, but
7 what we don't know is how the health of this community
8 will be affected.

9 Why don't we know that? It hasn't been
10 studied. And it hasn't been studied by FERC, and it
11 hasn't been studied by Virginia.

12 As the Board well knows, Virginia
13 declined the recommendation of the Governor's Advisory
14 Council on Environmental Justice that called for
15 further review of the station's impacts on the health
16 and lives of the people of Union Hill.

17 The Board must determine whether this
18 polluting compressor station should be placed in the
19 Union Hill community.

20 DEQ says that all pollution from the
21 compressor will be within acceptable limits, and
22 because of that, it's suggested this facility could go
23 anywhere in Virginia.

24 But we wouldn't put it next to an
25 elementary school, and we wouldn't put it next to the

1 University of Richmond, and we wouldn't put it next to
2 Monticello or Montpelier.

3 So the Board must ask itself, if we won't
4 put it in those places, should Dominion be allowed to
5 put it in Union Hill?

6 The Board doesn't know what the health
7 effects of this project will be on this community, and
8 I urge the Board not to be distracted by an argument or
9 a claim that studying health effects has not been done
10 before for a facility like this.

11 Right now, the State of Massachusetts is
12 doing a health assessment for a proposed compressor,
13 and this is what the Massachusetts governor had to say:
14 We recognize the serious concerns that have been raised
15 by many.

16 Although the siting of the compressor
17 station is primary regulated by FERC, the Commonwealth
18 need not and will not remain silent during this
19 process.

20 And the Massachusetts governor also said
21 that the Department of Environmental Protection in
22 Massachusetts won't issue any air permits until that
23 health assessment is completed.

24 This fact, I think, will get your
25 attention. That compressor station that's under review

1 in Massachusetts is seven times smaller. The
2 Buckingham Compressor Station is seven times bigger
3 than that Massachusetts compressor.

4 The Board should also not be distracted
5 by Buckingham County's decision to approve a zoning
6 permit for the compressor station.

7 That decision is on appeal to the
8 Virginia Supreme Court, but more importantly, Virginia
9 regulations specifically tell you, the Board, that a
10 zoning decision doesn't excuse the Board from
11 considering the facts and circumstances of site
12 suitability.

13 I've also given you a copy of that
14 regulation. Environmental justice must mean something
15 in Virginia. That's what the Virginia energy policy
16 tells us.

17 We have a state that takes environmental
18 justice seriously when it makes decisions. I strongly
19 urge the Board to reject the notion that this
20 compressor station is appropriate anywhere in our
21 state.

22 Let me briefly touch on my second point.
23 The Board has authority to consider the greenhouse gas
24 implications of this compressor.

25 Virginia law requires the Board to

1 consider social and economic value of the facility. In
2 2017, Virginia committed to the Paris Climate
3 Agreement.

4 And in 2018, right now, this Board is
5 reviewing carbon limits for power plants. Those limits
6 will lower greenhouse gases in Virginia by a million
7 tons per year.

8 This facility will release CO2-equivalent
9 gases in the amount of 295,000 tons. One-third of the
10 reduction the Board is trying to achieve with these
11 regulations will be wiped out by this permit.

12 I urge the Board not to let Dominion to
13 set back your efforts to put Virginia on the right path
14 to reducing carbon pollution.

15 And finally, we disagree that DEQ has
16 resolved all of the technical concerns that we've
17 raised. This permit can and should set stricter limits
18 for NOx pollution, the precursor of harmful ozone.

19 In conclusion, please use your existing
20 authority to consider the suitability of the Union Hill
21 community, the risk to the health and safety of its
22 residents, and the social and economic value of setting
23 back Virginia's important effort to control greenhouse
24 gas emissions, and disapprove this permit. Thank you.

1 MR. LANGFORD: Thank you.

2
3 MS. BERNDT: Next group of speakers,
4 William Northern, Jon Mueller, Alexander Smith, Heidi
5 Berthoud, Billy Wooten, Chad Oba, Ed Roarty, and Jeeva
6 Abbate.

7
8 MR. NORTHERN: Good afternoon, Mr.
9 Chairman and Members of the Board. My name is William
10 Northern, and I'm a resident of Henrico County, a
11 veteran of the Vietnam War, and a former Dominion
12 Energy employee.

13 My pleasure to be here today alongside
14 several of my fellow retirees to encourage your
15 approval of the draft air permit for the Buckingham
16 County Compressor Station, a crucial component of the
17 Atlantic Coast Pipeline.

18 Together, we represent decades of
19 experience in the energy industry. Personally, I
20 worked as a senior planning and budget analyst within
21 the company's nuclear organization for 10 years.

22 My time there convinced me that Dominion
23 Energy treats safety and responsible stewardship of the
24 environment very seriously.

25 I believe those commitments are reflected

1 in the company's acceptance of the various air permits
2 now before the Board.

3 From what I understand, the conditions
4 that the DEQ proposes to apply to the Buckingham
5 facility are close to what would be expected of a much
6 larger so-called major source of emissions.

7 Those limits on carbon monoxide, nitrogen
8 oxide and volatile organic compounds are said to be 4
9 to 10 times more stringent than any comparable station
10 in Virginia.

11 DEQ has suggested that these requirements
12 are the most demanding of any compressor station in the
13 country.

14 And although I consider myself a layman
15 when it comes to engineering, I should note that the
16 planned emissions control measures and equivalent are
17 considered state of the art.

18 Available evidence, including air quality
19 modeling, indicates that emissions from the Buckingham
20 Compressor Station would not have any adverse impact on
21 Virginia's air.

22 This modeling shows that even when the
23 facility is operating at its maximum, air quality in
24 the county would be comfortably better than the Federal
25 and the state standards, development and health of

1 children, the elderly, and those with respiratory
2 illnesses in mind.

3 All this is to say that DEQ has put
4 together what seems to me to be a thorough list of
5 regulations that will fully protect our state's air
6 quality.

7 For its part, I have no doubt that the
8 men and women of Dominion Energy will demonstrate the
9 operation of excellence that I came to expect in my
10 career in complying with the air permit.

11 They know our region's growing energy
12 needs demand a solution like the Atlantic Coast
13 Pipeline, but you can be assured it would never
14 undertake such a project at the expense of the natural
15 resources that make Virginia their own, a great place
16 to live and work.

17 I respectfully ask that you recognize
18 their hard work and dedication and that of DEQ and
19 countless other agencies by approving the draft permit.

20 I, for one, look forward to seeing the
21 fruits of their labor, 2.7 million in economic growth
22 in the region, and 17,000 new jobs.

23
24 MR. LANGFORD: Thank you.
25

1 MR. NORTHERN: Thank you for your
2 consideration.

3
4 MR. LANGFORD: Thank you. Next?

5
6 MS. BERNDT: Jon Mueller. Mr. Mueller
7 has 12 minutes.

8
9 MR. MUELLER: Good afternoon. My name is
10 Jon Mueller. I represent the Chesapeake Bay Foundation
11 and our over 200,000 members.

12 Thank you for the opportunity to speak to
13 you today. I know that you have a difficult decision
14 before you and heard a lot of conflicting information.

15 And I'm hoping that after our comments,
16 which I believe you will consider, that you will deny
17 this permit.

18 In support of our review, we hired a
19 number of experts. And first, before I do that, I
20 wanted to say that we've gotten the responses from DEQ,
21 and I've written replies to those, which I'll provide
22 to Ms. Berndt, that you can read at your leisure.
23 There's nothing new, no new information, just responses
24 to DEQ's comments.

25 So in support of our review, we hired

1 three experts, and these are experts that participated
2 on behalf of the United States in litigation that I've
3 personally prosecuted around the United States against
4 coal-fired power plants when I served at the United
5 States Department of Justice along with Ms. Moreno. A
6 privilege to have you here today. Thank you.

7 Ram Sahu looked at the technical aspects
8 of this permit. Andrew Gray conducted air dispersion
9 modeling of this particular plant, and Dr. George
10 Thurston, a professor at NYU, was a member of EPA's
11 Citizen Advisory Board for a number of years and
12 published a lot of papers on human health impacts
13 associated with particulate matter in the ozone.

14 In addition, these experts have provided
15 technical information to DEQ. In fact, they supported
16 DEQ's analysis of the Clean Air Mercury Rule several
17 years ago, including dispersion modeling that Mr. Gray
18 conducted.

19 And also Mr. Gray provided technical
20 modeling information with respect to DEQ's review of
21 the Cypress Creek proposed coal-fired power plant. I
22 urge you to fully consider their comments and their
23 reports that were appended to our comments.

24 In our comments, we noted that the Board
25 must review the operation of the Buckingham Compressor

1 Station through three lenses. The Virginia
2 Constitution, the Code of Virginia and environmental
3 justice.

4 DEQ says that the permit complies with
5 the National Ambient Air Quality Standards, and
6 therefore, it complies with all three of those factors.

7 That is incorrect. You have the
8 obligation, as directed by the code, to consider these
9 other factors, factors that Mr. Buppert just explained
10 to you. One of which is suitability of the facility
11 for this location.

12 The location of an industrial facility
13 that handles millions of gallons of cubic feet --
14 excuse me -- millions of cubic feet of highly flammable
15 gas next to homes in an agricultural community is not
16 reasonable, especially given the faulty technical
17 aspects of this permit that we've pointed out in the
18 comments.

19 First, the permit will allow more
20 nitrogen oxides to be admitted into our atmosphere.
21 NOx contains nitrogen. That nitrogen falls to the
22 ground into water bodies and will add more nitrogen to
23 the Chesapeake Bay.

24 We pointed that out in our comments to
25 Mr. Gray's report, and DEQ said our modeling predicted

1 more nitrogen to the Bay than the EPA Chesapeake Bay
2 program model.

3 That is a regional model that looks at
4 all sources of pollution throughout the Chesapeake Bay
5 airshed. It is not specific to this facility. Mr.
6 Gray's work is.

7 Regardless, DEQ admits that this plant
8 will emit more nitrogen that will fall to the
9 Chesapeake Bay, and that nitrogen is limited under the
10 Bay total maximum daily load, of which Virginia is a
11 part of.

12 DEQ says don't worry about this new load
13 because NOx limits -- NOx emissions are going down
14 across the country.

15 At the same time, it overlooks the fact
16 that EPA is in the process of rolling back almost all
17 of those regulations upon which those NOx reductions
18 are supported.

19 In fact, the State of the Virginia has
20 acknowledged in its recent comments on the rollback The
21 Clean Power Plan, that the EPA's attack on resource
22 review will do just that, it will increase emissions of
23 NOx in the airshed.

24 Second, Mr. Sahu reviewed the technical
25 aspects of this permit. He pointed out a number of

1 problems with the way the permit has been written.

2 And that, in fact, a lot of times, the
3 technical terms rely on representations of the turbine
4 vendor. However, the vendor refused to stand by those
5 representations and refused to warrant them.

6 Therefore, there is no certainty that
7 this facility will be operated safely in the future.
8 DEQ said no changes are necessary because the
9 compressor station must comply with its permit.

10 However, when the plant only reports
11 annually, it will be a year before DEQ knows whether
12 this is true.

13 That is little solace to the citizens who
14 live nearby and will be affected by any pollution
15 emitted from this plant.

16 We ask that the BCS notify the public of
17 when there are blowdown events. And, in fact, this
18 permit allows 35 such events, and maybe more depending
19 on emergency shutdowns, if necessary.

20 So there's the venting of highly
21 flammable natural -- natural gas into the environment
22 near homes of this African-American community in Union
23 Hill.

24 DEQ said that was not warranted. No
25 explanation. Flatly, not warranted. It's not

1 warranted to tell your neighbors that we're about to
2 emit a harmful air pollutant into your neighborhood.
3 Not warranted.

4 We asked the BCS to monitor leaks more
5 frequently and report them to the public more than once
6 a year. DEQ said that the storage of this information
7 was too burdensome. No support for that statement.

8 Pretty skeptical when you think about the
9 fact that all of that information is provided
10 electronically.

11 Dr. Thurston, our human health expert,
12 noted that even though the permit limits particulate
13 matter emissions, the plant will harm human health.

14 The point of that is, is that there is no
15 amount of new particulate matter that can be emitted
16 into the atmosphere that will not harm human health.

17 Fine PM is just that. It so small it can
18 come through the windows and doors of a building and
19 affect your lungs.

20 And we've heard from people here that
21 live in the community that there are some asthmatics,
22 there are elderly, there are children.

23 PM affects their lung function. They
24 will miss work. They will have to go to the hospital
25 and report sick days.

1 Lastly, I wanted to raise the issue of
2 environmental justice. It's come up a few times today
3 already. The question is whether an ethnic minority is
4 being disproportionately impacted by construction and
5 operation of this facility.

6 DEQ says that because the permit will
7 comply with the NAAQS, it will protect all citizens,
8 and therefore, all environmental justice concerns have
9 been met.

10 Well, that is a perfect example of why
11 the government, why EPA have highlighted the need for
12 special examination of the permitting process,
13 pollution permitting process, because that just shows
14 you every permit that's ever issued is supposed to
15 comply with the standards, the NAAQS standards.

16 But they're not looking at this
17 particular community. They're not looking at the
18 question of whether the African-American community that
19 lives around this plant and will live with it every day
20 of the year for decades is going to be adversely
21 impacted.

22 Strangely, we asked for 14 things to be
23 done to improve this permit. Not one was granted.
24 Dominion asked for several. They got every one. That
25 is not environmental justice.

1 I think the Laury story is particularly
2 compelling. John Rose, John is a -- grew up in
3 Buckingham. They moved to California and lived there.

4 When he retired, they decided to move
5 back to Buckingham, his hometown. They're going to
6 spend the rest of their lives there, an agricultural
7 community where they could go outside and enjoy the
8 fresh air, see birds, hear the birds, smell the
9 flowers, see the stars at night.

10 Well, think about it. I think we all get
11 a little tied up in the technical niceties of some of
12 our code language, but we don't put ourselves right in
13 the shoes of the people who are going to have to listen
14 to this or live with this for the rest of their lives.

15 When they want to go outside and hear the
16 birds, they can't, because they're going to have a jet
17 engine right next door, 24/7, 365 days a year.

18 If they want to go outside and see the
19 stars at night, they can't, because this facility will
20 emit so much light from all the lights they have to
21 have to keep the place secure, it will block out the
22 stars.

23 And if they want to go outside to smell
24 the flowers, they won't be -- they might not do that
25 because they're afraid. They're afraid that this plant

1 is going to harm their health.

2 I submit to you that putting an
3 industrial facility in a backyard of an
4 African-American community is not environmental
5 justice.

6 It is not a suitable location for this
7 facility, and we ask that you deny this permit. Thank
8 you.

9
10 MR. LANGFORD: Thank you, sir.

11
12 MS. BERNDT: Alexander Smith.

13
14 MR. SMITH: Good afternoon, Mr. Chairman,
15 and Members of the Board. My name is Alexander Smith,
16 and I'm a resident of Chesterfield County.

17 I appreciate the opportunity to appear
18 before you today and express my support for the air
19 permit for the Buckingham County Compressor Station.

20 Like several others here today, I am a
21 Dominion Energy retiree. My on-the-job experience
22 clearly demonstrates to me that the company is deeply
23 committed to working with all the communities and
24 residents near a new facility such as the compressor
25 station.

1 And that same experience with the company
2 demonstrates to me that protecting the environment is,
3 in fact, a core value for everyone at Dominion Energy.

4 I am pleased to see both of these
5 commitments at work on the compressor station project.
6 From anything I've heard or read, the station's air
7 permit is considered very strict and very protective of
8 the environment.

9 In fact, the DEQ, back in August, said
10 the permit is the most stringent of any compressor
11 station in the country.

12 The emissions standards are also reported
13 to be 4 to 10 times stricter than those of any other
14 permits recently issued of compressor stations in
15 Virginia.

16 I am very pleased that Dominion Energy
17 completely accepts the terms of the permit even though
18 they are very stringent and go far beyond the
19 conditions typically found in permits for similar
20 facilities.

21 To me, the company's willingness to
22 accept these terms is further evidence of their
23 commitment to protecting Virginia's natural resources.

24 As a Virginia energy employee, I also
25 managed for a number of years the company's community

1 affairs programs.

2 During my tenure, the company recognized
3 that working with the communities impacted by a new
4 project was one of its highest priorities.

5 The communities and citizens near a new
6 project expect and deserve as much. I very happily say
7 that I see that same commitment of work in Buckingham.

8 For example, the company has accepted
9 dozens of conditions in the county's special use permit
10 to minimize the facility's impact.

11 The conditions addressed aspects of the
12 project, such as noise and dust during construction,
13 noise control once operations began, and tree buffers.

14 And as a long-time employee of Dominion
15 Energy, I can assure you that the safety of the public
16 is another core value of the company.

17 Dominion Energy will work closely with
18 Buckingham County emergency responders to ensure that
19 they have the resources and information they need to
20 assist in any emergency situation.

21
22 MR. LANGFORD: Thank you.

23
24 MR. SMITH: Before construction begins,
25 county first responders --

1 MR. LANGFORD: Sir, time is expired.

2 Thank you.

3
4 MS. BERNDT: Heidi Berthoud.

5
6 MS. BERTHOUD: Good afternoon. It's good
7 to see you again. My name is Heidi Berthoud, and I
8 live in the extended Yogaville community with my
9 husband, three cats, and the wildlife, about six miles
10 from the proposed compressor station, and about one
11 mile downstream from the proposed ACP horizontal
12 directional drilling site across the James River, which
13 would be just upstream from Yogaville.

14 My refuge and inspiration are the quiet
15 and clean air of my country abode high above the river.
16 My life work is on the preventative end of the
17 spectrum.

18 I'm a massage and yoga therapist and
19 teacher and a recently retired dental hygienist. I
20 also consider myself a decacologist.

21 DEQ and Dominion assure us that this
22 compressor station would be the best in class, meeting
23 all regulations, but we like our air and water clean.

24 And we don't want the tons of pollutants
25 dumped on us that the regulations say are okay. I am

1 heartened to understand that you have the authority,
2 under Virginia law, to reject this permit for numerous
3 solid and reasonable justifications.

4 The number one power of duty of the
5 citizen board is to assess the health and safety
6 impacts of projects that come before you.

7 Dominion tells us that safety is first
8 priority. For four years now, we have asked for and
9 have yet to see evacuation plans.

10 The DEQ is recommending this air permit
11 without first considering health and safety, before
12 considering worst-case scenarios.

13 The Red Cross could easily help figure
14 things out, and they are motivated, even if industry
15 and our elected officials are not.

16 We don't want anyone to live near a
17 high-pressure, gigantic 54,000-plus horsepower
18 compressor station, which is 5 times the industry
19 standard of around 11,000 horsepowers, is highly toxic,
20 an easy terrorist target, and highly explosive.

21 Methane is not only highly explosive,
22 it's also 87 times more of a greenhouse gas and ozone
23 destroyer than carbon dioxide.

24 Would you want to live in the
25 incineration zone some say a mile from the center?

1 It's not okay to sacrifice anyone or place, especially
2 not for private gain.

3 And there's no need for these pipelines,
4 as you have heard over and over. The owners of the
5 Transco pipeline have said there are enough pipelines
6 in place to meet demand.

7 The IPCC has declared a climate crisis,
8 huge health and safety problems, and renewables, as we
9 know, are cleaner and more economical than fossil
10 fuels.

11 Virginia -- so prior to permitting the
12 DEQ -- prior to permitting, the DEQ must require and
13 complete a risk and health assessment. We educated
14 ourselves as to the hazards of compressor stations, and
15 realized we needed to protect ourselves in every way.

16 I went to the local health department
17 then the regional health department to ask for health
18 and risk assessments.

19 They sent me to the DEQ, who pointed me
20 back to the health departments. We were left to defend
21 for ourselves, so I took on the role as baseline
22 testing project manager for Friends of Buckingham.

23 I'm also the secretary -- we did the
24 right thing -- taking up the hefty project of testing
25 30 well water sites close to the 26 miles proposed for

1 the ACP in Buckingham.

2 We have done air monitoring for PMs,
3 VOCs, formaldehyde, hydrogen sulfide, in eight homes
4 around the compressor station site and are in process
5 with the health surveys. We are also monitoring 36
6 stream crossings by the ACP, including 7 flood plains.

7 All this largely by us gray-haired women,
8 all on a shoestring budget, we're all volunteers,
9 fueled by our passionate and fierce love affair with
10 our home planet.

11 This testing should be a standard
12 requirement for any potentially polluting industry, but
13 for this to be a regulatory requirement would be an
14 admission of the dangers to our health and
15 safety.

16 Our coalition and organizations include
17 some brilliant people who have created our own pipeline
18 CSI, Compliance Surveillance Initiative. We get
19 regular reports of the ongoing construction disasters
20 of the Mountain Valley Pipeline, over 500 violations so
21 far, which the DEQ cannot and is not keeping up with,
22 and we only dread for the ACP.

23 Citizens are doing what good government
24 should. We warned you all about the possibility of
25 doing these projects. Now, we all struggle to live by

1 the consequences of a review process that is fractured
2 and fragmented.

3 You, the Air Board, have the legal
4 authority to review the larger picture. Please do so.
5 We are all in this together. We all live downstream,
6 downwind.

7 Yet, this process is not inclusive nor
8 comprehensive. I ask you to consider where is your
9 moral compass pointing.

10 Industry's prime motive is profit. Yours
11 is to see the larger picture and to care for the
12 Commonwealth. Just say no to this permit because you
13 can, because ethical, credible science mandates that
14 you do, and you have the legal right and authority and
15 duty to do so. Thank you very much for listening.

16
17 MR. LANGFORD: Thank you.

18
19 MS. BERNDT: Billy Wooten.

20
21 MR. LANGFORD: Three minutes?

22
23 MS. BERNDT: Three minutes.

24
25 MR. WOOTEN: Good morning, Mr. Chairman

1 -- or good afternoon, and Members of the Board. My
2 name is Billy Wooten, and I'm a resident of Henrico
3 County.

4 Thank you for the chance to ask for your
5 approval of the draft air quality permit before you
6 today for the Buckingham Compressor Station.

7 The station is a major part of the
8 Atlantic Coast Pipeline, which I support. The pipeline
9 simply cannot function without the Buckingham
10 Compressor Station.

11 However, energy security cannot come at
12 the price of damage to our environment. Virginians are
13 justly proud of our beautiful natural resources, and no
14 one wants to do anything to harm them.

15 I'm very pleased to say the permit,
16 coupled with Dominion Energy's commitment to make sure
17 that the facility protects the environment and moves
18 our state forward toward a more secure and reliable
19 energy future.

20 I spent 32 years as an employee of
21 Dominion, and 5 more as a contractor. Over that long
22 span, one thing was clear, the company took its
23 responsibility to protect the environment very
24 seriously.

25 In recent years it has been described as

1 a core value, and it's been that way for a very, very
2 long time.

3 I am proud that the company has agreed to
4 very strict terms in the air permit which was described
5 a few months ago by DEQ as the most stringent of any
6 compressor station in the country.

7 I've learned that the standards in the
8 permit are far stronger than those imposed on most
9 facilities characterized under the Clean Air Laws as
10 minor sources of emission.

11 The station will use advanced technology
12 to hold down discharges of a variety of substances,
13 such as methane, nitrogen oxide and carbon monoxide.

14 Computer modeling shows the station even
15 when operating at maximum capacity will meet all
16 standards designed to protect health.

17 I know that safety is another big
18 concern, but I don't believe Buckingham has anything to
19 worry about. Compressor stations have been around for
20 many years.

21 My father helped to build several during
22 World War II on the lines with the U.S. Navy running
23 down to the shipyard in Hampton Roads, and they have a
24 long and excellent safety record.

25 In my opinion, the Buckingham project

1 will be no exception. The air permit requires the
2 company routinely inspect valves, pumps, flanges, and
3 other components for leaks, and repair them if leaks
4 are detected.

5 The station and the entire pipeline will
6 be monitored continuously by Dominion Energy's gas
7 control center, and both automated systems and company
8 personnel stand ready to step in at once if problems
9 are detected.

10 Thank you again for the -- I ask again
11 that you approve the permit before you today. Thank
12 you.

13 MR. LANGFORD: Thank you, sir.

14
15 MS. BERNDT: Chad Oba.

16
17 MR. LANGFORD: How many minutes does she
18 have?

19
20 MS. BERNDT: Six.

21
22 MR. LANGFORD: Six, okay.

23
24 MS. OBA: So I'm not going to get into
25 any codes, any expert testimony. I'm here to talk to

1 you as some of my neighbors here that I came with
2 today.

3 I live in the Union Hill neighborhood
4 also, and a little over 40 years ago I woke up, it was
5 a beautiful summer day, and that would later change the
6 whole trajectory of my life up to this very moment.

7 It's been a rich and sometimes rewarding
8 education for me. I've learned a lot about fracked gas
9 infrastructure, pipelines, compressor stations and what
10 happens to people who live near them.

11 I've learned how the regulatory agencies
12 and the public process does not work for people like me
13 and my neighbors. I've learned that even though I
14 could be considered low-income, that I have inherited
15 as a white woman by the fact of my race, certain
16 privileges that most of my neighbors in the
17 83-percent African-American neighborhood have not had.

18 And I have made new friends, many, many
19 new friends, and that's the good part. I'm very
20 concerned about what is going to happen to my
21 neighborhood, to our health, to our way of life, to the
22 air, and to the water, and to the value of our property
23 if you allow this to go forth.

24 You will be sealing our fate forever. My
25 husband is a hard-working person. This is his happy

1 place here. This is my husband, and he chose as a life
2 pursuit to work with stone, and he's created a lot of
3 beauty for landowners throughout Central Virginia.

4 He works outside, sometimes for up to 10
5 hours a day. He does this every day, sculpting with
6 stone, and he's happy to do it in his open-air studio.

7 I worry about what will happen to his
8 health if he is exposed to nonstop toxic emissions for
9 hours on end every single day for the rest of his life.

10 The DEQ says they have put stringent
11 requirements on the emissions, but we know that the
12 standards, as been testified here today, do not protect
13 human health over time with constant exposure, and
14 especially worsened during blowdowns, colder weather,
15 hotter weather.

16 We also know that the constant exposure
17 to a large combination of emissions has not been
18 properly considered.

19 The existence of radon in Marcellus
20 shale, the source of the fracked gas, has not been
21 considered in the permit as well.

22 You've now heard or will hear more about
23 this, as there are numerous studies by respected
24 scientists and medical experts, and yet, none of this
25 seems to be considered.

1 The National Ambient Air Quality

2 Standards were not created to assess the air quality in
3 neighborhoods such as mine among people who live close
4 by to the deadly infrastructures.

5 We are being asked to live against our
6 will with this constant exposure. People like my
7 husband and I and my neighbors, Ella and Marie and John
8 and Ruby, we're the ones who will be constantly
9 exposed.

10 Our combined modest income, my husband
11 and I, over time has allowed us to buy a very modest
12 little farmhouse. It's our life investment, as are
13 many of the other modest homes in this neighborhood.

14 If you allow this permit and the
15 compressor station to be built, it will diminish our
16 property values, and yet, people near compressor
17 stations receive absolutely no compensation for the
18 considerable burdens of living near these
19 infrastructures.

20 I've read through all of the comments
21 made during the public hearing and sent as written
22 reports to the DEQ. I read them all.

23 And yet, I see nowhere that the staff has
24 made any changes based on our concerns. They have
25 listened, but I didn't see any real changes.

1 One more agency that seems to be turning
2 a deaf ear to those most impacted. I ask you as an
3 independent board to do the right thing, to do the
4 moral thing and to reject this permit. Thank you.

5
6 MR. LANGFORD: Thank you, ma'am.

7
8 MS. BERNDT: Ed Roarty.

9
10 MR. LANGFORD: Has he got three?

11
12 MS. BERNDT: Yes.

13
14 MR. ROARTY: Good afternoon. My name is
15 Ed Roarty, and I'm another Dominion retiree, and I
16 spent the majority of my 36 years in energy marketing
17 and trade.

18 I led various groups, power marketing,
19 gas, oil, coal, all the transmission and transmission
20 components of that, and I guess you'd say I'm a subject
21 matter expert when it comes to supply and demand.

22 And I'd like to assure you there is a
23 demand and need in the southeastern region, that many
24 people who live down there need a reliable supply of
25 energy, and you're not going to get that supply without

1 a compressor station.

2 And what I'm really an expert at is
3 compressor stations, and it's nothing to do with my
4 profession. It's personal experience, and I live in
5 Henrico County on a very -- I don't live there
6 now, but I've owned for 10 years, a large piece of
7 property that completely surrounded a compressor
8 station.

9 It wasn't in my backyard. It was in my
10 front yard. 300 feet from my door is a compressor
11 station, the compressor to run the Chesterfield Power
12 Station.

13 I couldn't leave my house without driving
14 within 50 feet of it. It never gave me a moment's
15 concern. Never one. I would hear the backup
16 generators fire up. That would be it.

17 Other than that, they were good neighbors
18 to have. Would I rather it not be there? Heck, yeah.

19 When I went to sell it, I hated it. I
20 hated it because of all this publicity about it, these
21 compressor stations are the root of all evil.

22 Without that compressor station, the
23 power station wasn't going to run. Just that simple.
24 Now, the other thing I have a little expertise on, and
25 that's Dominion's commitment to two things, safety and

1 environment.

2 If you go to any Dominion station with
3 the most authority from the safety rep to the
4 environmental rep, period, you go there, and if there's
5 any project going on you think where somebody could get
6 hurt or you think it will violate a permit, red flag
7 goes up and everything stops. Period.

8 There's no negotiation, there's no let's
9 get away with it, let's try to do something. I don't
10 care if Farrell -- Tom Farrell, himself, is standing on
11 the site, if the safety guy or environmental rep says
12 we've got to stop and think this over, you stop and
13 think it over.

14 And I know this too well because I had
15 numerous of my projects stopped because of
16 environmental issues. There was one -- give you one
17 example. When they came in for Chesterfield Power
18 Station, we had to import limestone there. Now, we
19 could have bought limestone locally, but we got it a
20 lot cheaper out of Canada. We brought it in ships down
21 to Chesapeake, transferred it over to barges. Let the
22 barges in.

23 And we had the smoothest operation in the
24 world. We used cranes to unload it and had the
25 synthetic gypsum coming out. We'd load the same barge

1 and have it coming back and forth all in an eight-hour
2 period.

3 As soon as the first barge comes, all my
4 employees are there, the environmental woman goes,
5 wait, this barge doesn't touch the dock. So what.

6 Well, a rock could come out of the crane,
7 bounce it, and go in the river. And she stopped it.
8 They called me up, and they said -- and I called her up
9 and said, Yeah, a rock could go in the river. I said,
10 It's rock. Rock could go in river.

11 She goes, I don't care. I called the
12 station director, I said, She's gone crazy. She's
13 letting -- she's stopping me because a rock could go in
14 the river.

15 Their response was, Do you have a permit
16 for rock? No. Then fix it. And that's how it works.
17 You either fix it or you don't. There's no
18 interpretation.

19
20 MR. LANGFORD: Thank you, sir.

21
22 MS. BERNDT: Jeeva Abbate, six minutes.

23
24 MS. ABBATE: Thank you, Mr. Chairman,
25 Board, Mr. Paylor, Counsel. Thank you for the

1 opportunity to speak here. This has been quite an
2 education for the past five years for many of us in
3 Buckingham.

4 Some of us thought we might even get some
5 gas out of this. Well, the first meeting with
6 Dominion, they said, Oh, this is not going to be for
7 you. It's going to cost 5 million for a tap.

8 So I went and inquired, really, to tap
9 it? That's because Columbia, who is the distributor,
10 has to have enough customers to justify them tapping
11 it.

12 And like Kyanite Mine said, they would
13 love to have that gas. They are hoping it would be
14 cheaper than the fuel they use now.

15 But they don't want to pay for the tap.
16 So Columbia is not going to pay for the tap. Kyanite
17 is not going to pay for the tap.

18 Dominion is not paying for the tap. No
19 one is paying for the tap. They all agreed in three
20 memorandums of understanding that if someone pays for
21 the tap, we'll do this, we'll get the gas, we'll do
22 this.

23 No one has stepped up to take the tap.
24 It's a great piece of publicity to look like there's a
25 customer, but there's no customer in Buckingham because

1 we can't get to the gas because there's no tap. So
2 let's be real about this.

3 Second point is, my community that I
4 represent, Yogaville, well, we're in the impact zone of
5 the pipeline. We're five miles from the compressor
6 station, but we are in an impact zone, and the people
7 in the compressor station are in an impact zone from
8 the compressor station and two pipelines.

9 So that is a triangle of debt in the
10 sense that a vapor, a leak, a spark, and now, you have
11 an explosion. So for three years we've been asking
12 Dominion, will you give us a safety plan. At least
13 we'd feel better. And an evacuation plan.

14 No, we're not dealing with that. They
15 don't want to say that it could have an accident.

16 The problem is PHMSA, the Pipeline and
17 Hazardous Materials Agency, reports dozens of major
18 accidents in pipelines, some compressor stations, every
19 month. Hundreds per year.

20 There's deaths, property damage, fires,
21 explosion. Appomattox had an explosion sometime back,
22 and that's just a few miles from Buckingham County.

23 So we would like to pretend that
24 nothing's going to happen, and I want to give credit to
25 Dominion. They do keep our lights on. They're a good

1 company in many, many ways.

2 But in this proposal, which we have
3 inspected, unwrapped, it is faulty. Their major
4 problem is they undermeasured the population. They
5 should have measured correctly in the first place,
6 averaging 29.6 people and an actual population of 199
7 people around the compressor station, African-American,
8 low-income.

9 And now that that's coming, they can't
10 sell their property. Their property is diminished by
11 some 10 to 20 percent.

12 So some would like to leave, but they
13 can't. This is their legacy property left to them by
14 their ancestors, and now they're stuck.

15 And they're seeing a diminishing of
16 whatever wealth they have. The same goes for my
17 Yogaville community, but what we've learned is by
18 joining together and looking at the facts and
19 presenting them to people like yourselves, we at least
20 get some fraction.

21 You understand our concerns, so I'm here
22 to ask you to deny the ACP's request for the proposed
23 Buckingham Compressor Station based on the inaccurate
24 site population data provided, which should reject the
25 permit in and of itself.

1 And there's a lack of any environmental
2 justice impact data. That's required and could be
3 done. Why not ask for that to take place and
4 revisit it? That's a part of the permit.

5 We would like a direct and open review of
6 the environmental justice impacts and health impacts on
7 the Union Hill community.

8 We believe that the siting of the
9 compressor station is inappropriate, and that's exactly
10 one of the issues you're to direct yourself to.

11 We would like to ask for real-time
12 pollution monitoring for the individual families
13 because there's no evacuation plan, there's no notice
14 to -- if there is a pollution, shouldn't an alarm go
15 off allowing these people to escape, or move, evacuate?

16 That seems reasonable to ask for a plan,
17 and the other thing about need, Our nation has a glut
18 of natural gas. I've been paying attention to the Wall
19 Street Journal.

20 Now, it goes up and down based on the
21 weather, but according to the U.S. Energy Information
22 Administration, demand is relatively flat through 2040.
23 We don't need another compressor station or a pipeline.

24 And other people have addressed that in
25 much further detail than me, but an underused Transco

1 Pipeline can supply all the spaces of people who are
2 requiring natural gas adequately.

3 The major problem, there was a miss on
4 certain supply, was the lack of ordering it in a timely
5 fashion for Virginia Beach, so if you have software
6 value, you place your orders, you will be well
7 supplied.

8 So there's no desperate need for gas.
9 There is a desperate need to get these stranded assets
10 out of the ground before there's no need for fossil
11 fuels.

12 And there is a population in foreign
13 countries that may, but -- the gas, if it's pumped
14 overseas, but I'm asking you, please consider the
15 safety needs, the ethical and moral issue of giving
16 these folks an opportunity for health and safety.
17 Thank you very much.

18
19 MR. LANGFORD: Thank you, sir. Next?

20
21 MS. BERNDT: Next group of speakers, Kay
22 Carter, David Sligh, Jeffrey Dowdell, John Sokolow,
23 Chris Saxton, Beth Roach, David Johnson and Richard
24 Walker.

1 MR. LANGFORD: These are all three
2 minutes?

3
4 MS. BERNDT: No, Dave Johnson has six.
5 Everybody else has three. Kay Carter is first.

6
7 MR. LANGFORD: Thank you.

8
9 MS. CARTER: Hello. My name is Kay
10 Carter, and I live in Buckingham County, and I want to
11 know about just before lunch, Mr. White asked the Union
12 Hill people to stand, residents, he said working with
13 Dominion to stand up where we've had community
14 engagement, and I think it was, like, two dozen people
15 that had stood up that said that they were working with
16 Dominion.

17 So please be aware of the impact, and I
18 have visited their community, so it's not that I've
19 just seen it on paper. I voiced my support for the
20 permit at Buckingham, and I do here again today.

21 The compressor station is an essential
22 part of the Atlantic Coast Pipeline project. ACP is
23 urgently needed to help ensure reliable energy future
24 for the Commonwealth, including Buckingham County.

25 I know that the energy security must not

1 come at the expense of the environment. Our natural
2 resource, including our clean air, make Virginia a
3 great place to live.

4 And our citizens will not stand for
5 anything that puts these resources at risk. I have no
6 such concern about the compressor station. The permit
7 contains strong provisions to protect the quality of
8 our air, standards that rank among the strictest for
9 any compressor station in the United States.

10 The permit is completely accepted to
11 Dominion Energy and is consistent with the company's
12 strong commitment to the environment.

13 I saw this commitment during my career at
14 Dominion Energy. I worked for years in the company's
15 transition right-of-way acquisition department.

16 I know firsthand that Dominion Energy
17 worked hard, and still does, to hold the impact of its
18 projects to a minimal impact, with the least number of
19 homes, businesses and historical sites.

20 And they still continue to do the same,
21 satisfying the concerns of the community, landowners,
22 local governments, and this is part of the permitting
23 work that they did as they chose a line.

24 And this has certainly been the case in
25 Buckingham County. The special use permit issued by

1 the county contains 41 separate conditions that I'm
2 sure you're aware of.

3 The provisions will minimize noise,
4 maintain the tree buffers, reduce visual impact, and
5 limit the height of micro towers. And this is
6 something that Buckingham citizens are very pleased
7 with, that they contain these items.

8 The air permit even adds more assurances
9 that the station will be built and operated in a safe
10 manner. The emission standards are 4 to 10 times
11 stronger than what the limits are in other recently
12 issued permits.

13
14 MR. LANGFORD: Thank you.

15
16 MS. BERNDT: David Sligh.

17
18 MR. SLIGH: Good afternoon. My name is
19 David Sligh. I represent Wild Virginia and our members
20 across the state.

21 You have heard a lot today about site
22 suitability and environmental justice and the
23 intersection between the two, and I'm not going to go
24 into great detail, but I do want to note that what you
25 heard today is backed up by a lot of information in the

1 record that you've already been given that was
2 submitted to DEQ and on which your decision must be
3 based, as you know.

4 That information says very clearly they
5 have -- that the State of Virginia has a responsibility
6 to do a real site suitability analysis.

7 And that that information also gives you
8 lots of evidence of the real need, the dire need for
9 such analysis here in relation to environmental
10 justice.

11 I wanted to refer to part of DEQ's
12 response to comments in which they discussed the fact
13 that the commenter brought up environmental justice and
14 site suitability.

15 And they specifically said that
16 commenters, quote, mixed the concept of environmental
17 justice with the requirements to determine site
18 suitability.

19 Well, of course, they did. Of course,
20 people tied those two things together. There is no
21 rational or reasonable way to discuss site suitability
22 without looking at the factors that affect that site,
23 and environmental justice is one of those.

24 So that statement, that mere statement
25 seems to me so dismissive as to be really disturbing.

1 It should show you the depth of consideration that the
2 staff has given to that issue and should convince you
3 that you need to insist on more.

4 Another thing that was in that same
5 paragraph was to say these folks who were trying to tie
6 these issues together, they didn't acknowledge that
7 this was one of the most stringent permits that they
8 could find in the nation. Okay. But that is not the
9 question here.

10 The question under this part of your
11 responsibility is whether this operation in this place
12 is reasonable, and whether there are economic and
13 social factors that are practically possible to do
14 better, to reduce or limit emissions in this place.
15 That's the question.

16 So you can talk all day long about the
17 fact that the limits are some of the most stringent you
18 can find or maybe the most stringent, but it does
19 not answer the question that you folks are tasked
20 to answer in deciding whether this permit can go
21 forward.

22 Again, we ask you to deny this permit
23 because it is not backed up with the kind of
24 information and analysis that's required. Thank you.

1 MR. LANGFORD: Thank you, sir.

2
3 MS. BERNDT: Jeffrey Dowdell.

4
5 MR. DOWDELL: Mr. Chairman, Members of
6 the Board, thank you for the opportunity to speak, and
7 thank you for your service to the Commonwealth.

8 My name is Jeffery Dowdell, and I live in
9 Mechanicsville. I strongly support the construction of
10 the Buckingham Compressor Station and the Atlantic
11 Coast Pipeline. I do so for a number of reasons.

12 First and foremost, this critically
13 needed energy infrastructure will provide affordable,
14 clean energy to Virginians.

15 The natural gas the pipeline will provide
16 to families and businesses is proven to be
17 significantly cleaner than other types of energy
18 resources used in the past and has been strongly
19 supported by environmental groups as a cleaner
20 alternative for sometime.

21 Second, I believe both the construction
22 and operation of the Buckingham compressor Station and
23 the Atlantic Coast Pipeline together have the
24 opportunity to spur significant economic growth in
25 Buckingham County as well as the entire Commonwealth.

1 The jobs and economic investments in
2 especially -- specifically Buckingham County, are
3 critically needed, which is made evident by the
4 overwhelming approval by the local board of supervisors
5 to the compressor station.

6 Third, the Atlantic Coast Pipeline has
7 gone through a long, multi-year approval process where
8 it has received the scrutiny and subsequent approval of
9 governments at the federal, state and local levels.

10 I believe that when this project is
11 completed, all of Virginia will reap the multitude of
12 benefits.

13 Lastly, it's my understanding the
14 Buckingham Compressor Station, while technically
15 classified as a minor source, has pollution limits
16 contained in the draft permit that are far more
17 stringent than other compressor stations recently
18 approved by this body.

19 With all of these points in mind, I
20 respectfully request this permit receive your full
21 support and approval. Thank you for your time.

22
23 MR. LANGFORD: Thank you, sir.

24
25 MS. BERNDT: Jon Sokolow.

1 MR. SOKOLOW: Good afternoon, Mr.
2 Chairman and Members of the Board. I appreciate the
3 opportunity to speak to you today.

4 My name is Jonathan Sokolow. I'm an
5 attorney, a writer, a small business owner, and I'm
6 here from Fairfax County, where I live, to ask you to
7 oppose and vote down this proposed compressor station
8 permit.

9 I think one thing that we all have
10 learned today, which is indisputable, is that Dominion
11 Energy has a very good email list, and they're very
12 good at staying in touch with people who are on their
13 payroll in one form or another, people who are
14 retirees, people who receive their pension from
15 Dominion, people who receive their health benefits from
16 Dominion, people who are consultants for Dominion.
17 They even rounded up a couple of politicians who take
18 donations from Dominion.

19 That should not dissuade you from looking
20 at the facts. One thing I think many of us have been
21 struck by here today is that many who spoke in favor
22 are living in something of a fact-free zone.

23 So let me present to you the facts that I
24 think are in dispute. Fact number one, the NAACP, this
25 country's oldest and most prestigious civil rights

1 organization, is on record as saying that this
2 compressor station proposed for Union Hill is an
3 example of environmental racism. That's a fact.
4 That's their position.

5 Another fact, Governor McAuliffe issued
6 Executive Order 73 and created the Advisory Council on
7 Environmental Justice to advise executive branch
8 agencies on environmental justice issues. That council
9 unanimously, all 15 members appointed by Terry
10 McAuliffe, called the Union Hill compressor station an
11 example of environmental racism. That is a fact.

12 Another fact that I'm sure Mr. Paylor has
13 not informed you of, yesterday the Fourth Circuit Court
14 of Appeals rejected yet another permit for the Atlantic
15 Coast Pipeline, put a stay on it, because the Army
16 Corps of Engineers did not do their job in reviewing
17 this project that supposedly has been more stringently
18 reviewed than any other project.

19 And it was one of a string of permits
20 thrown out for both the Atlantic Coast and the Mountain
21 Valley Pipeline. That is a fact. That happened
22 yesterday, and I'm sure nobody told you about it.

23 Another fact. The Atlantic Coast
24 Pipeline companies, Dominion Energy, has conceded that
25 they cannot finish this project until mid-2020.

1 So all of these statements that you heard
2 about how urgent it is for you to approve this, how
3 much of a waste of time it would be to do an
4 environmental study, to do an environmental-justice
5 study, to do a health-assessment study, those are just
6 lies. Those are just lies.

7 Dominion has admitted -- and let me point
8 out Dominion admitted this two weeks ago -- that they
9 will not be able to finish the Atlantic Coast Pipeline
10 until mid-2020, and it might be later if there are any
11 other delays.

12 Well, last night, there was another delay
13 from the Fourth Circuit, so it may be until 2021, 2022
14 before they finish this pipeline.

15 There is plenty of time to do justice to
16 the folks who have traveled here from far and wide to
17 beg that you protect the health of themselves, their
18 children and their grandchildren.

19 Another fact, and this is one of these
20 fact-free zones that we've been hearing very little
21 about today -- The International Panel on Climate
22 Change, which is a United Nations body of the world
23 scientists, issued a report about several weeks ago in
24 which they said not just in general that we need to do
25 something about climate change within the next 12 years

1 --

2 MS. BERNDT: Excuse me. We have a clock
3 issue, but your three minutes is up.

4
5 MR. SOKOLOW: Can I just have 30 seconds?

6
7 MS. BERNDT: No.

8
9 MR. SOKOLOW: Okay. I'm sorry.

10
11 MR. LANGFORD: No, you already had 30
12 over.

13
14 MR. SOKOLOW: Okay. Thank you very much.

15
16 MR. LANGFORD: Sorry about that.

17
18 MR. SOKOLOW: That's okay. I appreciate
19 your time.

20
21 MS. BERNDT: I'm just happy that I'm not
22 the only person who the clock dislikes. Chris Saxton.
23 Chris Saxton. Okay. Beth Roach.

24
25 MS. ROACH: My name is Beth Roach. I

1 live in Richmond. I'm from Surry County, which was
2 mentioned earlier, Cypress Creek.

3 I lived through that process of the coal
4 plant being proposed. I'm going to tell you all my
5 hats, so I'm a community organizer for the Mothers Out
6 Front; I serve on the Governor's Council of
7 Environmental Justice; Advisory Council of
8 Environmental Justice, I'm vice chair; and I'm also a
9 tribal council member of the Nottoway Indian Tribe of
10 Virginia.

11 Now, I'm speaking to you today as an
12 ancestor, and again, Chairmen, good to see you again,
13 but today what I would like for us to just consider is
14 what kind of ancestors are we going to be.

15 And as a native person, I'm pulling from
16 my Shoshone ancestors to -- whenever we were -- opened
17 a meeting, first I would say (speaking in American
18 Indian) whenever we'd greet each other, and that is,
19 are you at peace.

20 And then we will go through a very long
21 Shoshone address which really details all of the things
22 that were great before and how this whole world
23 operates.

24 And I'm just going to pull one piece out
25 for us today (speaking in American Indian), and what

1 that says is that today we have gathered to speak that
2 the cycles of life continue, and that is our duty, to
3 live in balance and harmony with each other and with
4 the world around us.

5 And so together with some of -- I'm
6 reading some things to each other, so I'm greeting you
7 all and greeting all of the ones that are sitting
8 behind me.

9 And so I -- when I think about those
10 words and I think about all of the experiences that
11 I've had, this is what I come to.

12 With Mothers Out Front, I work with women
13 across the country, mothers and grandmothers that are
14 waking up to that ICC report to the fact that climate
15 action is happening now.

16 And if we asked them today, they're going
17 to be like, no, we are not at peace. Just like a lot
18 of people aren't in this room.

19 My experience with the Advisory Council
20 for Environmental Justice, which you heard from Dr.
21 Miller this morning, and I hope that you refer back to
22 her comments in the letter that was presented. I hope
23 that you hear that, see that as a resource.

24 We heard testimony today in Richmond, and
25 we went to Buckingham, and truly to walk in the shoes

1 and listen to these people and see how close the
2 compressor station is to the churches and their homes.

3 It's really -- it's truly moving, and I
4 think, you know, it's something that I hope that you're
5 going to consider today, so I'm asking you to listen to
6 everyone, to deny this permit, to take into
7 consideration further assessments.

8 I'm asking you to think as an ancestor
9 and think back to those generations of men that were
10 finally given this land, are finally able to live on
11 this land, the ancestors that they have now and the
12 ancestors that we hope to leave in the future.

13 And so I leave you today with -- I'm
14 supporting human health. I think we all are, and I
15 would say (speaking in American Indian).

16
17 MR. LANGFORD: Thank you ma'am.

18
19 MS. BERNDT: David Johnson, you have six
20 minutes.

21
22 MR. LANGFORD: After this speaker, we'll
23 take about a 10-minute stretch break.

24
25 MS. BERNDT: Sure.

1 MR. JOHNSON: Thank you, Mr. Chairman,
2 Members of the Board. My name is David Johnson, and I
3 live in Henrico County.

4 I am a mechanical engineer by long-term
5 background. In which case, my first career was
6 involved in machinery not too much different than the
7 solar, turbine and auxiliary equipment associated with
8 this project.

9 But then I changed and became -- and was
10 the Chief Deputy at DEQ about 16 years ago. After
11 that, did quite a number of years in environmental
12 consulting where I primarily worked in air permits in a
13 number of states.

14 And then I was director of the Department
15 of Conservation and Recreation, so I've had quite a lot
16 of regulatory experience on both sides of the table.

17 And I looked at this permit, which, as
18 you know, is a minor permit application. I was struck
19 with how stringent the requirements are.

20 In my reading, I saw the requirements as
21 so stringent that I was -- I felt compelled to talk to,
22 you know, DEQ Air Permitting staff to just say, why did
23 you do this, this is really over the top. These are
24 requirements that I would more like to see around a PSD
25 requirement.

1 And the answer was always the same, is
2 that we did BACT analysis and we could justify it, so
3 we imposed it, and ACP accepted it.

4 So, you know, as the Board, what I would
5 first say is that you should have a lot of confidence
6 in the permit staffing that went into this and their
7 evaluation to really get the most stringent permit
8 possible.

9 And I want to give you a couple of
10 examples of this to show that I'm just not making this
11 up. Is that one area called for -- asked for cold
12 weather additional controls that would be in -- that is
13 expected to be used for five hours a year. Okay.

14 Well, that's interesting. Maybe that
15 that -- you know, you're doing that, but truth is those
16 five hours will never happen because it talks about
17 when the temperatures -- the inlet temperatures are
18 below zero Fahrenheit, this is when this would kick in.

19 Well, if you were just starting up a
20 single-cycle turbine where you didn't have something
21 operating beforehand, yes, you could have that.

22 These are constantly ongoing because
23 they're constantly sending gas down the pipeline, so
24 these compressor stations use economizers which is to
25 warm the air before it goes in the compressor.

1 Okay. Therefore, you'll never see
2 anything -- it will be like 100, 200-degree inlet
3 temperatures. You don't even need this.

4 But it was imposed because this was the
5 idea, is we would impose everything we can so there
6 will be -- there's nothing that could be questioned as
7 far as the stringency of this permit.

8 The other thing is, you know, there's so
9 -- there's a tiny, tiny, tiny amount of sulfur in a
10 natural gas pipeline.

11 This control technology poses a struggle.
12 You wouldn't even smell it. It is so small of an
13 amount. They imposed this onto the ACP. They accepted
14 it, and now, it's part of the -- it's before you as a
15 draft permit.

16 This is, again, minor, which means it
17 won't even trigger Title 5 Federal permit requirements,
18 so this will move on and be fairly standard and routine
19 once the permit moves forward.

20 Again, my point here is that as a former
21 regulator and someone who's also worked with regulators
22 regular -- on a pretty frequent basis to evaluate
23 permits and to negotiate permits, that is you've had a,
24 from what I can tell, a very compliant applicant and a
25 very stride and stringent staff people putting --

1 imposing the conditions.

2 You just couldn't ask for more stringent
3 conditions than what's here right now, and so I'm here
4 as a strong advocate for the approval of this permit.

5 I mean, it began as a measure of how far
6 this one's gone. I've noted that even the pig is
7 regulated, and I've never seen that before either, but
8 there it is.

9 And so they will have to account for the
10 emissions coming out through the use of the pipeline,
11 so again, to restate, very much for it, I think the
12 staff has done an extraordinary job.

13 I'm surprised, I guess, for the residents
14 who are worried about pollution. This is as clean as
15 you can possibly imagine, and so I hope you endorse it,
16 and so we can move along for all of the other reasons
17 you've heard about the need for the pipeline. Thanks
18 very much.

19
20 MR. LANGFORD: Thank you. Let me ask,
21 you gave me a look when I mentioned a break. Would you
22 rather wait a little bit or -- okay. I just -- are the
23 Board Members ready for a short break? Yeah, I see
24 assent, and so we'll take a 10-minute break and we'll
25 be back at 3:25.

1 (Recess)

2
3 MS. BERNDT: Call the next group.

4 Richard Walker, Lawrence Fisher, Swami Dayananda, Floyd
5 Miller, and Maya Stewart-Silver. Come on up and have a
6 seat. Richard Walker, you can go ahead.

7
8 MR. LANGFORD: Does he have all three
9 minutes?

10
11 MS. BERNDT: No. There -- everybody but
12 Swami -- I'll let you know --

13
14 MR. WALKER: You can add to it, if you'd
15 like. Good evening, folks. I appreciate the
16 opportunity.

17 Neither slavery nor involuntary
18 servitude, except as a punishment for crime whereof the
19 parties shall have been duly convicted shall exist
20 within the United States or any place subject to their
21 jurisdiction.

22 This is the 13th Amendment ending
23 slavery, of which my great-great-grandfather was a
24 freed slave after the Emancipation Proclamation.

25 Twenty years thereafter, he received this

1 plot of land, 25 acres, that Dominion Power is trying
2 to get an easement on right now.

3 I just got a letter in the mail today
4 that came emailed to me -- texted to me this morning
5 that we're in the Western District Court right now
6 because they came and offered an insult of \$3,000,
7 pittance, to purchase that easement on our land.

8 Environmental injustice, environmental
9 racism. I fight injustice everywhere in the
10 Commonwealth of Virginia.

11 And there's injustices in the justice
12 system, injustices that lead to our schools being
13 depleted, leads to our communities being bombarded by
14 crime, leads to everything that's unequitable for
15 primarily African-Americans.

16 All persons born and naturalized in the
17 United States and subject to the jurisdiction thereof
18 are citizens of the United States and of the state
19 wherein they reside.

20 No state shall make nor enforce any law
21 which shall abridge the privileges or immunities of
22 citizens of the United States, nor shall any state
23 deprive any person of life, liberty or property without
24 due process of law, nor deny any person within this
25 jurisdiction equal protection of the law.

1 We are not getting equal protection of
2 the law. 85 percent of African-Americans in Union Hill
3 are not getting that equal protection.

4 I respect Mr. Dowd. He came out to us,
5 and we gave him a tour of Buckingham, of Union Hill,
6 and I felt his compassion for us.

7 However, in his paperwork, he's not
8 showing that same compassion by doing the necessary
9 studies to determine if it will be safe in 10 years
10 from now for the residents of Buckingham.

11 He said, well, you have to get the air
12 quality after we build it. I'm confused. At some
13 point when are we going to have this state -- it's the
14 Commonwealth of Virginia, but at this point, I'm
15 calling it the Uncommonwealth of Virginia, that is not
16 equally for all of the people that it represents.

17 If the legislation and legislators of the
18 Commonwealth of Virginia were to embrace the diversity
19 of the cultures of the Commonwealth of Virginia, we
20 would be number one in the country.

21 And it just -- just can't catch that
22 message. You know, we're still practicing Jim Crow
23 laws in the justice system. Disenfranchisement,
24 marginalized, putting people of color in the backseat,
25 not being able to move us forward, not to be able to

1 give us the same qualities of life that other folk get
2 in the Commonwealth of Virginia.

3
4 MS. BERNDT: Excuse me. Mr. Chairman?

5
6 MR. WALKER: It's time, Folks --

7
8 MS. BERNDT: The timer went out.

9
10 MR. WALKER: The gentleman said I could
11 have his three minutes.

12
13 MR. LANGFORD: Hang on a second.

14
15 MS. BERNDT: I'm just making sure that
16 you know that the timer did go off.

17
18 MR. LANGFORD: I didn't hear it.

19
20 MS. BERNDT: I didn't think you had.
21 That's why I interrupted.

22
23 MR. WALKER: So you didn't hear it. So
24 as you --
25

1 MR. LANGFORD: Wait. One last sentence,
2 then you're done.

3
4 MR. WALKER: One minute?

5
6 MR. LANGFORD: One last sentence.

7
8 MR. WALKER: All right. So I implore
9 you, please do the next right thing by this. Give the
10 opportunity for the folks in Buckingham -- and I know
11 that folks in factions of it that have caused
12 divisiveness in the African-American community because
13 some of them are going with Dominion Power, are
14 negotiating --

15
16 MR. LANGFORD: Thank you.

17
18 MR. WALKER: -- with them, and I'm okay
19 with that.

20
21 MR. LANGFORD: Thank you.

22
23 MR. WALKER: At what point will we stand
24 up and fight for our right.

1 MR. LANGFORD: Thank you. And I
2 apologize for the technical difficulty.

3
4 MR. WALKER: Appreciate the time. Thank
5 you very much.

6
7 MR. LANGFORD: Thank you very much, sir.

8
9 MS. BERNDT: Martin Fisher. Martin
10 Fisher.

11
12 MR. WALKER: I'll take his time.

13
14 MS. BERNDT: No. Nice try, though.
15 Swami Dayananda, and she gets six minutes.

16
17 MS. DAYANANDA: May I just give you
18 before I start, statistic about the air? It will just
19 be 10 seconds.

20 You know that they say it takes three
21 minutes without air for us to not survive, three
22 minutes. Three days without water, we can't survive.
23 Three weeks without food, we cannot survive. How
24 important is the air for us?

25 So I'm Swami Dayananda. Good afternoon.

1 Thank you for the opportunity. I am here today as a
2 Buckingham resident and a clergy member of Yogaville
3 community.

4 I have been working with Buckingham,
5 Union Hill folks for last four years, and I
6 respectfully ask you, the Air Board Members, to
7 disapprove the draft air permit for two major reasons,
8 health risk and environmental justice issue.

9 First, on health, I know that people at
10 DEQ have done their very best to make sure that BCS
11 meets all national regulations and even beyond whenever
12 they could.

13 I truly am thankful for their very best
14 efforts. The problem is that the national standard
15 they work with is not sufficient according to many
16 experts to protect the citizens' health fully.

17 Yogaville is five minutes, max, away, as
18 you might have heard, from compressor station, and
19 according to a study by industry, Kinder Morgan, the
20 air pollution can reach 6 miles.

21 Anecdotaly, it can reach up to 15 miles.
22 Yogaville has 300 residents, including children, and
23 almost 10,000 annual guests come in. Our breathing
24 practice is yoga practice, a very important practice,
25 so we do care about clean air and, of course, clean

1 water and land.

2 So some of these below points I believe
3 is fairly new, and I don't want to repeat, and has not
4 about responded by DEQ in detail by Dr. Larysa Dyrszka,
5 pediatrician, and Physicians for Social Responsibility,
6 and New York Concerned Scientists.

7 First point, the National Ambient Air
8 Quality Standards by Virginia's DEQ were not created to
9 assess the air quality and safety in a small geographic
10 area with fluctuating emissions, please take note.

11 Two, health risks from relevant air
12 contaminants we see in adequate treatment on EPA, ATSDR
13 report established that there were levels of exposure
14 around compressor station that makes health concerns.

15 And three, mixtures of chemicals are
16 released sequentially or together and their effects are
17 not taken into account fully. Some act scientifically
18 to increase the toxicity level.

19 Four, radioactive waste product removed
20 from the pipeline after what's called pigging. How
21 this toxic waste is removed, handled, stored,
22 transported and disposed of should be made clear to the
23 public related to their health.

24 Secondly, on the environmental justice,
25 Union Hill does face it, which I believe Dominion folks

1 understand.

2 In one of the meetings with Dominion
3 staff with Union Hill residents at historic Union Hill
4 Baptist Church, a Dominion representative said that he
5 acknowledged that historically America has had reality
6 of environmental injustice to people of color, that he
7 expressed regret, that Dominion has been very
8 concerned, preoccupied with the landowners, and did not
9 pay enough attention to communities.

10 And after the meeting, I asked him, So
11 what is your plan for this discriminatory racism that
12 is happening here? After all, Governor's Advisory
13 Council for Environmental Justice did determine that
14 Union Hill faces that.

15 And so he replied, instead of
16 acknowledging either EJ or not EJ, that Dominion just
17 wants to do what is good for Buckingham, which is a
18 good thing. They do want to do -- help Buckingham.

19 But now, we hear in the news that this
20 plan has developed to over \$5 million of investment for
21 economical development for Buckingham. The news comes
22 today, a day before you are scheduled to make the
23 decision, and I trust and hope that this has not
24 influenced your decision in any way.

25 In a way, money has a very strong

1 pressure, and it's a little hard to understand what is
2 happening. If you would disapprove the air permit,
3 would they still keep this agreement? I don't know if
4 it is actually signed.

5 If you will agree with it, would they
6 still do that? I would imagine they would. It's a
7 very difficult situation. Why not wait until you have
8 made the decision to offer?

9 I was at the Parliament of the World's
10 Religions, attended by 7,500 people this past week. I
11 met many faith leaders and people of various faiths
12 from Virginia, U.S. and globally.

13 I want to share with you -- how many more
14 minutes do I have?

15
16 MS. BERNDT: One.

17
18 MS. DAYANANDA: Oh, I think I need to
19 stop. Six minutes?

20
21 MR. LANGFORD: Six seconds, and time is
22 up.

23 MS. DAYANANDA: Okay. Thank you for this
24 opportunity, and thank you for your service for us.

1 MR. LANGFORD: Thank you. I appreciate
2 it.

3
4 MS. BERNDT: I'm going to call this name
5 one more time, and I think it's a duplicate card. I
6 think this person's gone. Floyd Miller. And next,
7 Maya Stewart-Silver.

8 Next group, Patricia Sweeney, Connor
9 Campbell, Toby Mack, Peter Anderson, Vivian Giles,
10 Louis Zeller, and Larry Girvin. First speaker is
11 Patricia Sweeney.

12
13 MR. LANGFORD: Is that Patricia or Maya?

14
15 MS. BERNDT: Sir?

16
17 MR. LANGFORD: What's your name?

18
19 MS. STEWART-SILVER: My name's Maya.

20
21 MR. LANGFORD: Yeah, she was coming down
22 the hall. You didn't see her.

23
24 MS. STEWART-SILVER: Oh, is it not my
25 turn?

1 MR. LANGFORD: No, no, it is your turn.
2 They just didn't see you moving forward.

3
4 MS. STEWART-SILVER: I see.

5
6 MS. BERNDT: Three minutes.

7
8 MR. LANGFORD: Three minutes. All right.
9 Go ahead.

10
11 MS. STEWART-SILVER: First, thank you for
12 your time and for your care. My name is Maya
13 Stewart-Silver. I grew up in Afton, Virginia, and now,
14 I'm living in Crozet, Virginia.

15 I was blessed to grow up surrounded by
16 beautiful, healthy nature, including clean water and
17 air, and I value this for myself, and I value this
18 opportunity for others, such as my neighbor community
19 in Union Hill.

20 I also have a great deal of care for
21 health, well-being, and justice for all people. As
22 many others have expressed as well, there are major
23 health risks for the citizens of Union Hill.

24 It feels very basic to me that before
25 putting anything into action, there needs to be

1 thorough steps taken to make sure that any health risks
2 are assessed and that the local citizens of the area
3 are not becoming victimized by unjust environmental
4 sacrifice from Dominion's action, and this has not been
5 adequately done.

6 Also, I have a deep concern in general
7 about the impact on this primarily African-American
8 low-income population that makes up much of the Union
9 Hill community.

10 Even just considering placing this
11 compressor station right in the midst of this already
12 marginalized rural community is very disturbing to me.

13 This tendency of Dominion to have this
14 type of environmental impact in historically
15 marginalized communities that often results in
16 disproportionate health risks, is a trend that
17 needs to be seriously questioned and examined.

18 And as a Dominion customer, it feels
19 unacceptable to me, as well as other unwanted
20 customers, to contribute financially to this poison,
21 this pollution, and harm against our wills.

22 I know that you on the Board have the
23 power to make a choice that could either contribute to
24 environmental and racial injustice or you can
25 prioritize the health and well-being of people over

1 profit and uphold the underlying values of our country
2 of equality and justice for all.

3 I see this as an important opportunity
4 for all of you on the Board to stand up for what is
5 ethical by denying this unjust draft air permit, and
6 thank you again very much for your care and for your
7 time.

8
9 MR. LANGFORD: Thank you ma'am.

10
11 MS. BERNDT: Patricia Sweeney.

12
13 MS. SWEENEY: I'm Patricia Sweeney, a
14 civil engineer with 35 years of experience in
15 environmental permitting and construction. I support
16 approval of the Buckingham Compressor Station.

17 And I also agree with today's first three
18 speakers, Senator Louise Lucas, Donnie Bryan,
19 Buckingham Board of Supervisors, and Vivian Giles,
20 Cumberland County Administrator.

21 I'm a homeowner on Watson Road in Loudoun
22 County, which means that I have three compressor
23 stations as my immediate neighbors. I'm near the
24 Loudoun Compressor Station, the Leesburg Compressor
25 Station, and the Columbia Compressor Station.

1 My neighbors have always been in
2 compliance with their DEQ emissions point sources. I
3 estimate that we see on Watson Road about 70 tons per
4 year of nitrous dioxide.

5 The impact on my air quality is
6 undetectable. I never smell smoke. I never see any
7 smoke. I don't know anybody who has asthma, no sick
8 babies, no sick people, no nothing.

9 The Buckingham Compressor Station will
10 emit half as much NO2 as my three neighbors. I get 70
11 tons a year of NO2. Buckingham is going to get 34 tons
12 per year of NO2.

13 That's my first topic, is point source
14 air emissions. My second topic, and then I'll be done,
15 is environmental justice.

16 I am very concerned that the people of
17 Union Hill are being used as pawns by environmental
18 groups with an agenda to stop economic progress.

19 My property value has tripled since 1991.
20 When I moved to Watson Road, there was only Columbia,
21 and then they built Loudoun Compressor, and then they
22 built Leesburg Compressor, and there has been no impact
23 on property value.

24 Watson Road is residential, highly
25 residential. There are hundreds of homes around these

1 compressors, \$850,000 homes. My house is -- was
2 cheaper.

3 Dominion provides a good wildlife habitat
4 for deer, black bear, wild turkey, box tortoises and
5 foxes. These animals have nowhere to go, but the
6 wooded buffer in the pipeline is a place for them to
7 live.

8 Last but not least, this is a minor point
9 source emissions. It is not a major point source. It
10 is not an incinerator plant. It's not a
11 power-generating plant. I think that people have been
12 scared of things that are not correct.

13 The scale of the plant is a lot smaller,
14 and I don't think that that has been properly explained
15 to them. Thank you.

16
17 MR. LANGFORD: Thank you, ma'am. Next?

18
19 MS. BERNDT: Connor Campbell, three
20 minutes.

21
22 MR. CAMPBELL: Thank you very much. My
23 name is Connor Campbell. I have experience in
24 agriculture, and now, I'm a small business manager in
25 Charlottesville, Virginia.

1 I represent a small collective of
2 passivist artists, as well as a housing collective of 9
3 people living together in a home that uses 91 percent
4 less power per capita than the average home in the
5 State of Virginia.

6 I'm here to suggest that Board members
7 agree to decide to not grant permission to build this
8 compressor station. The reasons have been enumerated
9 before me today.

10 We can provide for our needs in this
11 state, in our beautiful state, without Dominion's
12 natural gas, and, in fact, I do not believe that they
13 intend to use this pipeline to even provide for the
14 needs of Virginians.

15 And what I don't think has been mentioned
16 today is that this coming Sunday is the 100th
17 anniversary of the signing of the peace treaty that
18 ended World War I, and I believe that the natural gas
19 from the Marcellus shale formations is going to be used
20 on the global trading stage to encourage war.

21 And I want the Board to remember that
22 many citizens in Virginia stand for peace, and we stand
23 for developing our economy without the use of any
24 additional fossil fuel infrastructure, and we support
25 keeping our rivers and our forests intact.

1 Thank you very much. I hope you make the
2 right decision.

3
4 MR. LANGFORD: Thank you, sir. Next?

5
6 MS. BERNDT: Toby Mack, also three
7 minutes.

8
9 MR. MACK: Thank you. I'm Toby Mack.
10 I'm President of the Energy Equipment and
11 Infrastructure Alliance, and we represent thousands of
12 Virginians who are members of our nonprofit
13 organization.

14 Jobs, families and communities are
15 enhanced by the Atlantic Coast Pipeline's construction
16 work and the clean, affordable energy it will deliver
17 to their homes and businesses.

18 Our members include construction
19 contractors, construction equipment companies, and
20 suppliers of materials and services to energy
21 infrastructure projects such as the Atlantic Coast
22 Pipeline.

23 EEIA is run by many other members of the
24 Commonwealth's business community in strong support of
25 this project because of the jobs it creates, and the

1 energy it transmits will deliver enormous benefits to
2 our workers, their families, their communities, and
3 Virginians in the greater region's environment.

4 Our support is also based on this
5 pipeline's passing the first and foremost test, that of
6 doing no harm to Virginia's environment. The pipeline
7 passes this test on all counts.

8 Dominion has made an extensive commitment
9 and investments to ensure the project will protect
10 Virginia's natural resources.

11 We also commend the DEQ for the
12 thoroughness and the dedication it has brought to
13 reviewing the ACP's environmental impacts and its
14 willingness to take strong steps to ensure those
15 impacts are held to a minimum.

16 The Department has shown the same
17 dedication in development -- in developing the draft
18 air permit.

19 We support the strict emission limits
20 included in the draft. Although the station is
21 classified under the Federal and state regulations as a
22 minor source of emissions, the limits included in the
23 draft permit are much more typical than those imposed
24 on larger facilities with much higher emission levels.

25 We'll illustrate the limits of the draft

1 special use permit are up to 10 times stricter than
2 those -- than the limits of any other permit recently
3 issued for compressor stations in Virginia.

4 These stringent limits apply to regulated
5 emissions ranging from nitrogen oxides to volatile
6 organic compounds, to carbon monoxide, and it helps
7 ensure that Virginia's air emissions and the air remain
8 clean and healthy even as our energy infrastructure is
9 expanded.

10 We commend the control technologies
11 required by this permit, which are typical for much
12 larger facilities with higher levels of emissions. The
13 systems included in the draft permit covering range
14 from selective catalytic reduction to a vent gas
15 recovery system designed to minimize release of natural
16 gas into the atmosphere.

17 We are confident that the -- that
18 Dominion will meet or exceed the permit's strong
19 requirements for air quality protection. We encourage
20 you to approve this permit and that this project go
21 forward. Thank you.

22
23 MR. LANGFORD: Thank you, sir.

24
25 MS. BERNDT: Peter Anderson, and he has

1 nine minutes.

3 MR. LANGFORD: Go ahead, Mr. Anderson.

5 MR. ANDERSON: Thank you, Mr. Chairman,
6 Members of the Board, Director Paylor, Mr. Gooch.
7 Thank you for your time on these marathon days, and
8 thank you for your service to the Commonwealth.

9 My name is Peter Anderson, and I'm with
10 the nonprofit organization Appalachian Voices, and we
11 oppose the Buckingham Compressor Station permit.

12 I want to respond to DEQ's summary in
13 response to three of the comments I made during the
14 public comment period. These areas related to, first,
15 health and safety; second, greenhouse gas emissions;
16 and third, environmental justice as it relates to site
17 suitability.

18 Under Virginia Code 10.1-1307, Subsection
19 E, that you have in front of you there, as you know,
20 this Board must consider the reasonableness of
21 approving a permit for the Buckingham Compressor
22 Station.

23 This section of state law commands that
24 the Board, quote, shall consider the facts and
25 circumstances relevant to the reasonableness of the

1 activity involved.

2 And then the code lays out four elements
3 you must consider in your analysis of reasonableness,
4 so I don't need to specify those right now. You have
5 the code in front of you, but we're talking about the
6 degree of injury to safety and health, the social and
7 economic value analysis, the site suitability analysis,
8 and a scientific economic practicality analysis.

9 In responding to DEQ's comment summary, I
10 want to focus on the first three of those elements. So
11 regarding the degree of injury to safety and health, we
12 requested in our comments a baseline health impact
13 assessment to determine the true risk to the Union Hill
14 community in Buckingham, particularly for elderly and
15 very young, and those already living with respiratory
16 illnesses.

17 DEQ's comment response dismisses this
18 request as beyond its authority, and staff claims that
19 the broad health-based standards set up, Federal law
20 and regulations will be sufficient to protect public
21 health.

22 But since you, the Board, quote, shall
23 consider the degree of injury to safety and health, I
24 ask what evidence has the permit applicant or DEQ
25 supplied to you describing the baseline health of the

1 people living in this community and the likely effects
2 on health from the additional new criteria pollutants
3 in Buckingham.

4 While DEQ's modeling shows the NAAQS will
5 be attained, what study has been conducted to determine
6 the health impacts on the fence-line community during
7 startup, shutdown, normal operation, and during
8 blowdowns of venting natural gas?

9 To answer this question, as commanded by
10 state law, one must have a very specific set of facts
11 about the local population's current health status and
12 the likely impacts from the higher pollutant
13 concentrations resulting from the compressor station's
14 operation.

15 I submit that this Board does not have
16 the information necessary to determine the character
17 and degree of injury to health that is threatened by
18 the Buckingham Compressor Station.

19 Point number two, regarding the social
20 and economic value and permitting the compressor
21 station to operate, this Board must consider among
22 other things the Buckingham Compressor Station is
23 expected to emit 295,686 tons of carbon equivalent per
24 year.

25 For context, this is approximately

1 one-third of the expected carbon emission reductions
2 expected to occur under the draft regulation that you
3 folks just approved recently from power stations.

4 In addition, according to a study by Oil
5 Change International, total life cycle greenhouse gas
6 emissions from the entire Atlantic Coast Pipeline are
7 estimated at nearly 68 million metric tons annually or
8 the rough equivalent of 20 new coal-fired power plants.

9 So you must consider that permitting this
10 activity is adverse not only to the carbon reduction
11 goals of the current administration, but also to the
12 urgent action the IPCC's recent report describes, that
13 we need to combat climate change.

14 It is clear that these greenhouse gas
15 emissions have significant social cost, so I ask what
16 evidence has been presented to you showing that the
17 alleged economic benefits of the permitted activity
18 outweigh these costs, who has quantified these costs
19 and benefits, and who bears the cost, who receives the
20 alleged economic benefits?

21 Evidence from recent proceedings before
22 the Virginia State Corporation Commission show that the
23 Atlantic Coast Pipeline is not needed to supply
24 existing or planned natural gas-fired power stations in
25 Virginia.

1 If the Pipeline is unnecessary, it
2 follows the compressor station is unnecessary, so in
3 your analysis of the social and economic value of
4 permitting the Buckingham Compressor Station, on the
5 second element of 10.1-1307, I respectfully submit you
6 must find the activity unreasonable.

7 Now, finally, regarding site suitability,
8 the third element that I wanted to discuss with you
9 today, recall that under the Code you're required to
10 consider suitability of the activity to the area in
11 which it is located.

12 Now, it's this authority along with the
13 Commonwealth Energy Policy which requires you to the
14 consider disproportionate impacts of the Buckingham
15 Compressor Station on the majority African-American
16 community of Union Hill.

17 The Commonwealth Energy Policy, which you
18 have in front of you, states that it should be a policy
19 of the Commonwealth to ensure that the development of
20 new or expansion of existing energy resources or
21 facilities does not have a disproportionate adverse
22 impact on economically-disadvantaged or minority
23 communities.

24 And then it goes on in Subsection C to
25 say: All agencies and political subdivisions of the

1 Commonwealth, in taking discretionary action with
2 regard to energy issues, and shall recognize the
3 elements of the Commonwealth Energy Policy and where
4 appropriate, shall act in a manner consistent
5 therewith.

6 Now, the law expressly states that this
7 policy does not create any right action or cause of
8 action, and agencies of the Commonwealth shall not
9 construe the energy policy to, quote, amend, appeal or
10 override any contrary provision of applicable law.

11 However, there is no argument that this
12 Board, if it recognizes the Commonwealth Energy Policy
13 and ensures the environmental justice principles were
14 complied with, would be acting in contrary to the
15 provision of applicable law.

16 There is no command in State Air
17 Pollution Control Law that the Board must approve all
18 permit applications whose modeling and conditions
19 indicate compliance with the NAAQS.

20 This Board is free to and, in fact, must
21 consider under Title 10.1 and Title 67 of the Virginia
22 Code environmental justice principles in your analysis
23 of the site suitability and reasonableness.

24 According to a study conducted by Friends
25 of Buckingham and Dr. Lakshmi Fjord, in accordance

1 with environmental justice guidelines, the Buckingham
2 community within a 1.1-mile radius of the proposed
3 compressor station is an environmental injustice
4 community where it would be over 85 percent of
5 households are African-American, 33 percent are
6 descendants of freedmen, and the numbers of elderly and
7 very young are disproportionately higher than other age
8 groups.

9 I respectfully submit to you that any
10 analysis of the disproportionate adverse impacts of the
11 Buckingham Compression Station on the minority
12 community of Union Hill must lead to a conclusion that
13 the siting is not reasonable.

14 In conclusion, this Board's authority to
15 deny the requested permit is express. Under the
16 relevant regulations you have in front of you, you may
17 approve, approve the conditions, or disapprove permit
18 applications.

19 So you have at least three clear choices,
20 and disapprove is one of them. This application fails
21 at least three of the four elements of reasonableness
22 laid out in 10.1, as I've just described to you.

23 First, without a comprehensive health
24 impact assessment, you do not have enough information
25 to determine whether the threat of injury to health is

1 reasonable.

2 Second, the estimated greenhouse gas
3 emissions for the Buckingham Compressor Station should
4 fail any cost-benefit analysis or analysis of social
5 and economic value of the activity.

6 And third, the disproportionate impacts
7 on the Buckingham Compressor Station on a low-income,
8 minority community should bar you from determining the
9 site is suitable.

10 Because the permit application is
11 unreasonable under the analysis set out in Title 10.1,
12 I respectfully ask you to disapprove the permit
13 application for the Buckingham Compressor Station.

14 Thank you.

15 MR. LANGFORD: Thank you, sir.

16
17 MS. BERNDT: Vivian Giles. Vivian Giles.
18 Okay. Louis Zeller then. Mr. Zeller has nine minutes.

19
20 MR. ZELLER: Good evening, members of the
21 Board. My name is Lou Zeller, and I'm Executive
22 Director of the Blue Ridge Environmental Defense
23 League, which is a Virginia corporation and also
24 incorporated in North Carolina and other states.

25 I have read the DEQ's response to the

1 comments we made of September 11th of this year. They
2 do not respond to the issues that we raise.

3 In 2017, the Blue Ridge Environmental
4 Defense League and its chapter, Concern for the New
5 Generation, filed an appeal in Buckingham County
6 Circuit Court for judicial review of the case decision
7 made by the Buckingham County Board of Supervisors
8 approving a special use permit providing Atlantic Coast
9 Pipeline with a special exemption for a
10 55,000-horsepower natural gas compressor station in
11 Buckingham County.

12 Simply stated, the special use permit was
13 issued contrary to applicable Virginia law and
14 regulations including the state implementation plan.

15 The special use permit is deficient in
16 three ways, and they are interrelated. One is zoning;
17 two is the noise levels; and three is environmental
18 justice.

19 First, the Atlantic Coast Pipeline
20 requested a special use permit under the public utility
21 exemption in the A-1 Zone Ordinance.

22 To qualify for this exemption, a facility
23 must be a public utility. However, the company's air
24 permit application expressly estates that the
25 Buckingham Compressor Station is a non-utility

1 facility.

2 Second, as approved by the Board of
3 Supervisors, the permit would allow the compressor to
4 generate between 55 to 60 decibels at the property line
5 or any adjacent building, but the permit limits noise
6 levels from the compressor only 90 percent of the time.

7 Therefore, the compressor station could
8 exceed the standard 10 percent of the time. That is
9 876 hours per year, which is more than 5 weeks a year,
10 for 24 hours day.

11 Moreover, the exceedances allowed by the
12 permit during these five weeks would be subject to no
13 noise limits whatsoever.

14 As written, the permit is a threat to
15 public health and places disproportionate impact on
16 those living nearby.

17 Third, Virginia statutes governing
18 environmental energy development articulate support for
19 environmental justice.

20 One of the stated objectives is, quote,
21 developing energy resources in facilities in a manner
22 that does not impose a disproportionate adverse impact
23 in economically disadvantaged poor minority
24 communities.

25 This is Virginia Code 67-101. The

1 statute states that to achieve these objectives, it
2 shall be the policy of the Commonwealth to, quote,
3 ensure that development of new or expansion of existing
4 energy resources or facilities does not have
5 disproportionate adverse impact on economically
6 disadvantaged or minority communities.

7 Buckingham County officials failed to
8 follow the law. Buckingham County Board of Supervisors
9 failed with respect to the statutory obligations to
10 ensure that the energy facility does not have a
11 disproportionate impact on Buckingham's Union Hill
12 community.

13 Members of the community are with us
14 today in the room. I would like to ask that they now
15 identify themselves.

16 In January of this year, the trial court
17 heard oral arguments. The judge issued an order
18 granting Buckingham County's attorneys a motion to
19 dismiss based on procedural matters of form and style
20 only, not substance.

21 However, Virginia trial court law and
22 Virginia Code Section 8.01-275 requires courts to
23 disregard defects in pleadings so as long as they do
24 not affect the substance of the claims for which the
25 relief can be given.

1 This has been fully embraced by the
2 courts for a hundred years, see Norfolk v. Sturgis,
3 which was decided in 1915.

4 Bottom line, these issues now are the
5 subject matter of a petition for appeal to the Supreme
6 Court of Virginia. Our brief was filed on July 17th,
7 2018, and I have provided copies to you, which you now
8 should have.

9 The Buckingham County Planning Commission
10 heard evidence of environmental injustice from local
11 residents and regional organizations during the public
12 hearings on the compressor station.

13 Although the information is correct, the
14 oversight has been put before the County. They have
15 improperly approved granting of a special use permit.

16 Although information to correct the
17 oversight has been put before the County, they
18 improperly approved granting of the special use permit.

19 The local governing body certification
20 form, it's a legal form, is the necessary basis for an
21 air permit in Virginia.

22 Under the present circumstances, a permit
23 cannot be granted by Virginia DEQ. Virginia statutes
24 and regulations allow the Air Pollution Control Board
25 to revisit the matter.

1 For example, it states: No provision of
2 this part or any permit issued thereon shall relieve
3 any owner from the responsibility to comply with any
4 existing zoning ordinances and regulations, provided,
5 however, that such compliance does not relieve the
6 board of its duty, that's this Board, of Virginia Air
7 Pollution Control Law to independently consider
8 relevant facts and circumstances. This is from
9 9VAC5-88-1230.

10 The Atlantic Coast Pipeline LLC requested
11 a special use permit under the public utility exemption
12 in the A-1 Ordinance.

13 However, the compressor station proposed
14 by Atlantic Coast Pipeline, LLC, is not a public
15 utility. The company's air permit application to the
16 State states that Buckingham's Compressor Station will
17 not be subject to Federal Clean Air Act acid rain
18 regulations because it will not sell electricity, and
19 therefore, is a nonutility facility.

20 This is in the application, which is the
21 basis of this permit. This is a fatal flaw. Atlantic
22 Coast Pipeline's Air Permit application to Virginia DEQ
23 states one thing. The company's request for Buckingham
24 County's special use permit states the opposite.

25 The local governing body certification

1 board provides the legal basis for permit review by the
2 state. The air permit is based on prevarication, a
3 falsehood, a lie.

4 The state cannot issue the permit until
5 these issues are resolved. Thank you.

6
7 MR. LANGFORD: Thank you, sir.

8
9 MS. BERNDT: Larry Girvin, three minutes.

10
11 MR. GIRVIN: Good afternoon, Mr. Chairman
12 and Members of the Board. My name is Larry Girvin, and
13 I reside in Richmond County.

14 I appreciate the opportunity to appear
15 before you today, and respectfully, ask you to approve
16 the air quality permit now before you for the
17 Buckingham Compressor Station, which is part of the
18 Atlantic Coast Pipeline project.

19 I believe the permit does a great job of
20 protecting Virginia's air quality, while at the same
21 time allowing a very valuable energy mission to move
22 forward.

23 I spent my career in the energy industry.
24 Specifically, I worked for Dominion Energy for three
25 decades, retiring as a senior vice president of

1 operations.

2 Over those years, I was involved in many
3 aspects of the company from its nuclear operations to
4 its electrical distribution system.

5 As an officer, I clearly understood and
6 agreed with the strong commitment the company has for
7 the environment.

8 I believe that Dominion Energy shows the
9 same strong commitment in its approach to the
10 Buckingham Compressor Station.

11 My understanding is that the permit is
12 completely acceptable to the company, and that that
13 means that they have accepted extremely tight limits
14 for the station's emissions.

15 You have heard it said today that the
16 permit, as part of this process, is the most stringent
17 -- or likely the most stringent for any such facility
18 in the country. Perhaps 4 to 10 times more than any
19 other compressor in the State of Virginia.

20 By either count, it is likely that this
21 is going to be the most protected air quality
22 compressor station in the country.

23 I also understand that the permit is
24 designed to protect human health. Emission standards
25 in it have been developed for that purpose by the EPA

1 with expert guidance from an independent panel of
2 scientists.

3 The modeling by Dominion Energy uses
4 methods approved by DEQ, shows that the emissions from
5 the station, the county's air quality will be well
6 below Federal and state air quality standards and will
7 pose no threat to any individual, including children,
8 elderly and those individuals suffering from
9 respiratory conditions.

10 Therefore, I'm somewhat puzzled by the
11 call for DEQ to conduct a health risk and impact
12 assessment, given the standards already in there.

13
14 Mr. LANGFORD: Thank you, sir. Time is
15 expired. Next?

16
17 MS. BERNDT: Next group, Tom Hadwin.

18
19 MR. LANGFORD: How much time?

20
21 MS. BERNDT: 12.

22
23 MR. LANGFORD: Thank you.

24
25 MS. BERNDT: J.B. Jones, Alia

1 Stewart-Silver, Pam Mulcahy, Quinn Monette, and Ron
2 Figg. First is Tom Hadwin, 12 minutes.

3
4 MR. HADWIN: I know you're all weary. I
5 appreciate your commitment and your attention today.

6 I'm Tom Hadwin. I've worked for electric
7 and gas utilities in other states, and I had a
8 department that was responsible for state and Federal
9 permits for a variety of utility projects,
10 multimillion-dollar energy projects.

11 I support a comprehensive and objective
12 permitting process. I also support the development of
13 a monitored energy system in Virginia. Your heads are
14 filled with all sorts of details today, I'm sure.

15 So let me take you on another trip.
16 We'll go on a balloon and a time machine, and we'll go
17 back to what's the first stage of a regulatory process
18 involving energy issues, and that's the assessment of
19 need for the project.

20 Hasn't been a lot of discussion about
21 that here, but it's fundamental. In the assessment of
22 need for this permit, you might be relying on the FERC
23 process.

24 It might interest you to know that FERC
25 did not assess need in their process even though they

1 issued a certificate that made it sound like they did.

2 They relied primarily on information from
3 the applicant, but no independent evaluation of that
4 information was accomplished by them.

5 So let's go back in time to when the
6 permit was first applied for. The justification for
7 the pipeline was that nearly 80 percent of its capacity
8 would be used by a new gas-fired power plant proposed
9 for Virginia and North Carolina.

10 All of those plants for Virginia had been
11 cancelled. Dominion says they have no plans to build
12 more. Four of the six of the large gas-fired
13 facilities that were proposed in North Carolina are
14 gone.

15 The remaining two are likely to succumb
16 to the same types of forces that caused the
17 cancellation of the other projects. That is,
18 electricity use is not growing even though our
19 population is and economy is.

20 It's the opposite of what things were
21 like in the 21st century. We are learning to produce
22 more goods and services using less energy, so most of
23 the rationale behind the pipeline is gone.

24 Even if it weren't, even if all those
25 plans needed to be provided with a supply of gas, the

1 pipelines already in the ground can provide it.

2 They are expanding in capacity by an
3 amount greater than what the Atlantic Coast Pipeline
4 provides.

5 Just one addition to Transco that went
6 into service just last month is providing capacity
7 greater than what would be provided by the Atlantic
8 Coast Pipeline.

9 So there are few peaking units that are
10 still in the plan. It was mentioned we might need them
11 as we got into solar, on hot and very cold days we use
12 them.

13 They just run 5 to 10 percent of the
14 time. They're usually located in the population
15 centers, not in the pipeline corridor, so they would be
16 served by existing pipelines.

17 So the many sincere people who came
18 forward and said, I support this project because we
19 need it, I'm afraid they're basing that opinion on old
20 press releases and not on today's facts.

21 Southeast Virginia is a little bit
22 different situation, but the Atlantic Coast Pipeline is
23 not the solution.

24 New pipelines are terribly expensive.
25 The Atlantic Coast Pipeline will add a premium of over

1 60 percent to the current cost of gas.

2 That higher energy cost cannot be a
3 catalyst for more economic development. It cannot be a
4 producer of more jobs. Who is going to want to come to
5 Virginia to pay more for their energy?

6 Customers of our utilities, both in
7 Virginia and North Carolina, will be asked to pay
8 billions more for their energy costs over the next 20
9 years for a pipeline that will give them little
10 benefit.

11 There are better ways of doing this.
12 When you go through a regulatory process, usually it
13 comes down to balancing the benefits against the harm
14 that's associated with it.

15 Well, if the pipeline is not necessary in
16 order for us to have all the gas we need and if it's
17 going to cost us a whole lot more, billions more, we've
18 already tipped the scales so the benefits are in the
19 negative.

20 Now, if you add the costs that you've
21 heard about today, the harm for air quality, the harm
22 for environmental justice, it is strongly tipped
23 against approving this project.

24 And I ask you to consider that because it
25 really has been an overlooked issue in the

1 consideration of this project.

2 I'm a utility guy. I'm concerned about
3 the utilities. If they continue to increase the cost
4 of energy to families and businesses throughout
5 Virginia, with little benefit in return, it won't be
6 good for them in the long run either.

7 So we need to take a overview. You have
8 an opportunity here especially -- you're all here
9 because of your compassion, your interest, your
10 commitment and your commonsense.

11 You're not so caught up in a political
12 process by all that's going on behind the scenes. We
13 need to do what's best for all of us, and this air
14 quality permit is a chance to evaluate that.

15 You have the legal authority to do it.
16 You have the regulations that allow you to do it. Just
17 put it all together.

18 And I'm urging you to please go back to
19 the beginning. Certainly, focus on all you've heard
20 today. There are important issues. You need to weigh
21 and balance that.

22 And a lot you heard in support of this
23 project is based on faulty information. The statements
24 related to this came from a study that Dominion funded
25 that forgot to include the cost of using the pipeline.

1 When it's put in, there is no savings.
2 It's an extra expense, and that doesn't even include
3 the 40-percent increase that was just announced.

4 So this is something that is not good for
5 all of the community. We can do better for our energy
6 companies, better for our companies -- their customers,
7 and better for the people of Virginia. Thank you.

8
9 MR. LANGFORD: Thank you, sir.

10
11 MS. BERNDT: J.B. Jones.

12
13 MR. LANGFORD: Time is three?

14
15 MR. JONES: Good afternoon, Mr. Chairman
16 and Members of the Board. My name is J.B. Jones, and I
17 reside in Cumberland County, Virginia.

18 Thank you for the opportunity to offer my
19 views on the permit for the Buckingham Compressor
20 Station.

21 I was very pleased to have the
22 opportunity to speak at hearing held back in September
23 in Buckingham County.

24 And today, once again, I ask you to
25 approve the permit and allow this important energy

1 project to move forward.

2 I retired from Dominion Energy from 32
3 years of service, working mostly in electrical
4 transmission and distribution.

5 In my experience, the management of the
6 company and excellent record of compliance with
7 environmental regulations and protecting our natural
8 resources.

9 I believe that same commitment is at work
10 today in the Buckingham project and indeed the entire
11 Atlantic Coast Pipeline development.

12 The terms of the permit for the
13 Buckingham Compressor Station appear to be quite
14 strict, and Dominion Energy, I am told, has no
15 objections to any of those provisions.

16 Not surprisingly, safety has popped up as
17 an issue regarding the compressor station. While not
18 unexpected, I also think the concerns are not
19 warranted.

20 During my years at Dominion Energy,
21 safety was one of the company's key concerns. I am
22 pleased that still seems to be true today.

23 The provisions of the permit give me even
24 more confidence that this facility will be safe. One
25 of those provisions is a leak detection and repair

1 requirement.

2 Under its terms, Dominion Energy must
3 constantly monitor valves, pumps, flanges and other
4 components for leaks and repair them if any leaks are
5 detected. Plus, the company's gas control center will
6 monitor the station on a 24/7 basis.

7 Both automated systems within the plant
8 and company personnel can quickly shut down operations
9 if any issues arise.

10 The permit contains an impressive set of
11 requirements. I once again commend DEQ for developing
12 such a thorough and protective draft.

13 And I am sure Dominion Energy is
14 committed to carrying out the terms of the permit and
15 operating the station in a way that complies with all
16 the limits and safety conditions.

17 In my view, the Buckingham Station and
18 indeed the entire ACP project will help us move forward
19 on the energy front while still preserving the natural
20 resources that we Virginians treasure so much.

21 Thank you again for the opportunity to
22 speak to you and endorse the draft permit for the
23 compressor station.

24
25 MR. LANGFORD: Thank you, sir.

1 MS. BERNDT: Alia Stewart-Silver. She
2 has three minutes.

3
4 MS. STEWART-SILVER: Hello, and thank you
5 for this opportunity to address the Board. My name
6 is Alia, and I was born and raised in Virginia.

7 I spent the first six years of my life
8 living in Nelson County in the foothills of the Blue
9 Ridge Mountains.

10 My family, although not materially rich,
11 was rich in our access to wilderness and to the natural
12 world.

13 During these young years, I spent most of
14 my time adventuring with my siblings out in the woods,
15 inspired by the strong trees, cleansed and soothed by
16 the breeze and mesmerized by the waters of the Rockfish
17 River, which was on the edge of our property.

18 This was a formative time for me,
19 instilling in me a love for life in all of its forms,
20 and this love of life is why I am here today speaking
21 directly with you all about my concerns of the
22 construction of the Atlantic Coast Pipeline and the
23 compressor station.

24 I'm deeply moved by the selective will
25 that's mobilized to protect the shared lands of our

1 Commonwealth.

2 And as a white social worker and an
3 anti-oppression facilitator, I too can't stay silent in
4 the face of such misuse of power.

5 It is clear to me the decision to move
6 forward with this project would be in direct opposition
7 to my values of justice, equality and inclusion.

8 The completion of this project would not
9 only position our state to become more dependent on the
10 cost of the fuel industry at a time when we know that
11 that position of dependence is contributing directly to
12 human-made climate change and also is not the only
13 technology we have for a best economy and a future that
14 would promote prosperity in abundance for all.

15 But it also would disproportionately
16 impact a predominantly African-American community. As
17 a community largely comprised of people descended from
18 enslaved ancestors, the Union Hill community has
19 already been impacted intergenerationally by the cost
20 of state-sanctioned injustices. The most latent one,
21 of course, being the institution of slavery.

22 Such dehumanizing policies have been to
23 the financial gains of a few over the wellness and the
24 freedom and the livelihood of many others.

25 The approval of this Compressor Station

1 would again replicate this legacy of state-sanctioned
2 racism.

3 In the wake of the recent events in
4 Charlottesville last year, it is more important than
5 ever that we shed light on the racial history of our
6 communities across the Commonwealth in an effort to
7 repair harm so we can move forward together to a
8 brighter future.

9 In weighing this decision, I ask each of
10 you to consider what is the world that we hope to leave
11 for our future generation.

12 It is a world in which we've learned you
13 can't take from the earth without limit, and we've also
14 learned of the harms of marginalizing already
15 vulnerable communities.

16 And I plead that you would deny this
17 permit. I respect each of you for taking your time and
18 your livelihood and your energy to be on this Board.

19 And I really -- I ask that you look
20 within your heart to know what we need and what the
21 future needs. Thank you.

22
23 MR. LANGFORD: Thank you, ma'am.

24
25 MS. BERNDT: Pam Mulcahy, also three

1 minutes.

2
3 MS. MULCAHY: Mr. Chairman and Members of
4 the Board, my name is Pam Mulcahy, and I'm a resident
5 of the City of Richmond. I appreciate the opportunity
6 to speak to you today.

7 Along with many of my fellow Dominion
8 Energy retirees, I'm here to express my support for the
9 air permit for the Buckingham Compressor Station.

10 All of us have spent many years in the
11 energy industry, and we know just how important the
12 station and, in fact, the entire ACP project will be
13 for Virginians in the future. This infrastructure is
14 badly needed and long overdue.

15 We also know that one of Dominion's core
16 commitments is protection of the environment. All of
17 us have firsthand experience with that priority.

18 Safeguarding our natural resources is a
19 major part of any job or project. I believe that you
20 see that same commitment at work in the development of
21 the Buckingham project.

22 Most of all, we're seeing it at work in
23 the company's willingness to accept an extraordinarily
24 strict air permit.

25 As already noted, DEQ itself, back in

1 August, termed the emissions standards in the permit
2 the most stringent of any compressor station in the
3 country.

4 From an environmental standpoint, I don't
5 think there's any doubt that this permit is quite
6 impressive.

7 First, I understand the emission limits
8 in the permit are 4 to 10 times stricter than the
9 limits in any other recently-issued compressor station
10 permit in the Commonwealth.

11 These limits apply to a variety of
12 emissions including nitrogen oxide, carbon monoxide and
13 volatile organic compounds.

14 Under state and Federal clean air
15 regulations, the Buckingham facility is a minor source
16 of emissions.

17 However, the requirements imposed on the
18 -- by the permit are far more typical of those imposed
19 on a much larger facility.

20 And the same can be said of the plant's
21 control technology, its state-of-the-art turbine design
22 minimizes discharge of nitrogen oxide, and station
23 equipment and operations will curb the release of
24 methane during maintenance procedures.

25 I also understand that some opponents of

1 the facility have called for an additional health risk
2 and impact assessment by DEQ. I see no evidence that
3 this would accomplish anything beyond spending State
4 time and money.

5 The station's emission limits are
6 designed to ensure the County's air quality continues
7 to comply with national air quality standards
8 specifically designed to protect human health including
9 the health of groups such as the elderly, people with
10 respiratory illnesses and children.

11 Furthermore, computer modeling has shown
12 that the station's emissions will not adversely affect
13 air quality and will be well below national standards.

14 I hope you will consider these points,
15 and I respectfully urge you to approve the permit.

16
17 MR. LANGFORD: Thank you, ma'am.

18
19 MS. MULCAHY: Thank you.

20
21 MS. BERNDT: Quinn Monette, six minutes.

22
23 MR. MONETTE: We do not want best
24 practices. We do not want careful monitoring. We
25 don't want more scrutinous oversight of Dominion.

1 We know, you know too, that would just be
2 the State looking in the mirror. We want Dominion
3 gone. We want the pipeline gone. We want the
4 compressor station to disappear back into the violent
5 imaginations of those who lust after power and profit,
6 those for whom it would be so much more convenient if
7 the people of Union Hill hadn't won their liberation
8 from slavery.

9 Descendants of freed slaves all along the
10 pipeline want to make their voices known including my
11 friend whose family has lived in Hampton Roads since at
12 least 1829.

13 The pipeline is colonization reimaged.
14 It opens old ancestral wounds. Her ancestors won't let
15 her stay silent, so she's asked me to relay these
16 words.

17 We will not ignore that Dominion has,
18 that the colonial so-called United States has stolen
19 this area from the Moneton and the Powhatan and the
20 Meherrin and the Chowanoke and the Roanoke and the
21 Tuscarora and the Lumbee and the Cheraw and the
22 Cherokee and the Pamunkey and the Piscataway and
23 countless other indigenous nations who are still here.

24 We know the compressor station would be
25 an act of violence. We see it for the white supremacy

1 it so manifestly and visibly is.

2 We're here to bear witness to the bomb
3 you have the chance to dismantle. If you don't, don't
4 worry, we will. Perhaps you don't hear the ticking.
5 Perhaps you think you'll be gone before the click.

6 If we are terrified, it's because we are
7 clear-sighted. If we are angry, it's because we
8 deserve to be. If we are militant, it's because we
9 must be.

10 Others have brought you reasons to deny
11 the air permit. I hear them. I applaud them and hope
12 you do too.

13 I bring conviction, I know, and I don't
14 use this phrase lightly, that there is no alternative.
15 No pipelines. No racial terror. Not here. Not
16 anywhere.

17 MR. LANGFORD: Thank you. No applause,
18 please. Next?

19
20 MS. BERNDT: Ron Figg, three minutes.

21
22 MR. FIGG: Chairmen, my name is Ron Figg.
23 I reside in Powhatan County, Virginia. I'm a licensed
24 professional engineer, and I would like to just
25 quickly address the needs and the overall emissions

1 picture not necessarily specific to the compressor
2 station.

3 You know, we see a lot about renewables
4 today and the role that they can play. As a licensed
5 engineer, I work in the development of natural gas
6 power plants and primarily solar.

7 If you look at the DEQ PDR process today,
8 you're looking at roughly a little over 4,000 megawatts
9 of solar generation.

10 If you look at Dominion's integrated
11 resource plan, you'll see that they're saying in their
12 process that they went through this summer before the
13 SCC is they're looking at 7,200 megawatts of solar by
14 2043.

15 The key thing about particularly wind and
16 solar is it's a great way to deal with the overall
17 emissions picture that you have seen in years past in
18 the generation world.

19 But the natural gas picture is a key
20 element to supporting the effective operations of solar
21 generation.

22 If you think about it -- just think about
23 Dominion's 7,200 megawatts. If you figure a megawatt
24 for 6 acres, and you run a calculation on that, that's
25 67 square miles of solar power.

1 And then if you look at what the private
2 sector is doing, what you have in your queue, you're
3 looking at an amount that would take you over a hundred
4 square miles.

5 That's a huge amount for solar, so solar
6 is going to play an absolute major role in the forward
7 market.

8 One of the comments just made regarding
9 the need of this gas line was a lot of the generation
10 plants are -- that the need for them doesn't exist
11 anymore. That's not true.

12 What you're seeing in most of the
13 utilities, they have to restructure where the
14 generation will go.

15 Now, that you've got this solar
16 generation popping up in all different areas, what
17 you've got to do is strategically locate your next
18 backup, which is going to be primarily natural gas
19 generation.

20 And again, if I just look at Dominion's
21 integrated resource plan, they're looking at eight
22 small gas turbine generation facilities.

23
24 MR. LANGFORD: Thank you, sir.

1 MR. FIGG: Thank you.

2
3 MS. BERNDT: Next group, John Laury. I
4 think this is the second card, same person, Beth
5 Stockner. There was a previous speaker, but just in
6 case there's two Beth Stockners here.

7 Stacy Lovelace, Carlton Ballowe, Natalie
8 Pien, and Susan Larsen. They're all three minutes.
9 First up is John Laury.

10
11 MR. LAURY: Thank you, Ms. Berndt. Good
12 afternoon, my name is John Laury. I'm a resident of
13 the Union Hill community, cattle farmer.

14 I am deeply concerned about this proposed
15 compressor station and the toxin that will be emitted
16 and the control of the toxin and who will be in charge
17 of the toxin that's emitted and how it will be
18 monitored?

19 And in case there is a problem and
20 excessive toxins will be emitted, how would the
21 community be notified?

22 If there's a time when the community
23 needs to be evacuated, how will they be notified and
24 who will be notifying the community?

25 As of this day, the community have not

1 received an evacuation plan nor have there been any
2 talk concerning the blast zone.

3 We are stewards. All of us are stewards
4 of God's creation, and we are to protect the air, the
5 water and the grounds.

6 I, in particular, want to be a good
7 steward. I want to leave the environment the way I
8 found it. I do not believe there is adequate reason
9 why we need to plunder God's earth for corporate gain.

10 So I am opposed to this proposed
11 compressor station, and I ask that you please consider
12 denying this air permit. Thank you.

13
14 MR. LANGFORD: Thank you, sir.

15
16 MS. BERNDT: Last call for Beth Stockner.
17 Stacy Lovelace.

18
19 MS. LOVELACE: I'm Stacy Lovelace. I'm a
20 chemical engineer and a mother, and someone who
21 believes clean air is a right, not a privilege.

22 According to the EPA, non-attainment
23 areas for criteria pollution are defined as any area
24 that does not meet or that contributes to an area that
25 does not meet National Ambient Air Quality Standards.

1 According to the EPA's data, Virginia is
2 one of 23 states that areas can -- that has areas
3 considered to be non-attainment for ozone.

4 In other words, Virginia's air quality is
5 already compromised and does not fully meet all of the
6 National Ambient Air Quality Standards.

7 That's especially so for marginalized
8 communities. The DEQ's goal should be to prevent
9 making air quality worse as well as to reduce existing
10 pollution.

11 Why the DEQ is seeking approval for
12 unnecessary infrastructure that will damage air quality
13 further, would further disproportionate impacts to
14 marginalized communities, especially when we have the
15 renewable energy technology that renders pipelines
16 obsolete.

17 And when the recent IPCC report said we
18 need to reduce emissions of methane, the primary
19 component of dirty burning natural gas, by 35 percent
20 by 2050.

21 I also want to say that as a white
22 person, I was born with the privilege of easier access
23 to health care and emergency services, health and
24 wellness centers, and all of those things that Dominion
25 is planning they'll fund with the 5 million dollars

1 they just offered Union Hill to agree to have their
2 environment destroyed by the ACP's compressor station.

3 The fact that Dominion is stating that
4 they'll make it that so Union Hill has the same
5 benefits that many of us with more privilege already
6 have, only if Union Hill agrees to have their
7 environment and health damaged permanently, exemplifies
8 environmental injustice. The environmental injustice
9 that the DEQ and Dominion would like to hide.

10 Both science and justice would require
11 that you deny this permit, and I ask that you do so.

12
13 MR. LANGFORD: Thank you, ma'am. Next?

14
15 MS. BERNDT: Carlton Ballowe.

16
17 MR. BALLOWE: Hello. My name is Carlton
18 Ballowe from Nelson County, Virginia. I support the
19 ACP for environmental, economic and national security
20 reasons.

21 I believe I am as environmentally
22 conscious and caring as any person in this room. What
23 differentiates me from those that oppose the pipeline,
24 I believe is, one, faith in regulators.

25 That sounds odd, I know, but I believe

1 you folks are dedicated to your mission. I believe you
2 all are also environmentally conscious and caring, and
3 I think that you will carry out your responsibilities.

4 In one of my other lives, I was in the
5 highway heavy construction business, built roads,
6 bridges, dams, airports, water and sewer treatment
7 plants, and I think I've dealt with every federal
8 regulatory agency that there is, and I have yet to find
9 one that wasn't dedicated to their mission.

10 I would even say some of them were
11 overzealous in that regard, so I have faith in the
12 regulators. I also have faith in Dominion.

13 Their employees are a cross-section of
14 the country, and as a representative of the
15 cross-section of the population, I believe they are
16 also primarily environmentally conscious and caring
17 people.

18 Now, but if we were to assume that I was
19 wrong in all accounts, then the watchdog groups, the
20 environmental watchdog groups, we can be assured that
21 they will go over every letter of every regulation that
22 they can find.

23 And they will take the strictest possible
24 interpretation, and they will insist that it is rigidly
25 enforced.

1 Now, they claim that they are opposed to
2 the pipeline for environmental impact reasons, and that
3 would imply then that if there was no environmental
4 impact, that they would support it.

5 But I don't think that's true. They hold
6 up the standard of, well, there shouldn't be any
7 environmental impact.

8 Well, that's a conveniently impossible
9 standard. One that they wouldn't even apply to
10 themselves because there would be a presence here today
11 creating an environmental impact.

12 But they made a conscious decision to
13 balance that environmental impact against some good
14 that they thought might come out of them coming here.

15 Well, ironically, that's precisely the
16 reason why I'm here. I'm not going to suggest that the
17 project is going to have zero environmental impact.

18 I'm just suggesting that on balance, this
19 project, with its clean, safe energy, for the economy,
20 national security, and the environment, we're going to
21 be better off with it than without it. Thank you.

22
23 MR. LANGFORD: Thank you, sir.

24
25 MS. BERNDT: Natalie Pien.

1 MS. PIEN: Hello, Chairman and Members of
2 the Board. My name is Natalie Fien. I'm a retired
3 public schoolteacher from Loudoun County, Virginia --
4 Northern Virginia.

5 My career was dedicated to prepare
6 students for success in life, but I feel like we are
7 cheating and deluding our children.

8 How can we be successful in an unlivable
9 world ravaged by climate change? You have been
10 informed about the Dominion Energy application rife
11 with omissions and falsifications.

12 These omissions and falsifications
13 created the illusion that legally-required documents
14 were not needed.

15 On this basis alone, the current
16 application should be disqualified, and a new
17 application complete with all required studies should
18 be submitted anew.

19 The air permit should not be granted, and
20 all work on the ACP must be stopped until a new,
21 complete and accurate application is filed by Dominion
22 Energy.

23 You heard previous testimony that
24 Massachusetts, concerned about the adverse health
25 impacts, did not issue a compressor station permit

1 until more studies were completed.

2 You, the Virginia Air Board, have the
3 same authority as Massachusetts. Virginians,
4 especially the Union Hill community, deserve no less
5 protection.

6 Do the right thing, deny the air permit.
7 It's the only moral choice, so that concludes my
8 comments.

9 But there was a previous resident from
10 Loudoun County, Virginia, who lives near three
11 compressor stations, and the picture she painted wasn't
12 quite accurate.

13 Dominion Power is not a good neighbor.
14 They conducted an unannounced blowdown in September two
15 years ago, and it caused the emergency 911 service to
16 get overwhelmed, flooded with a thousand calls from
17 residents who were alarmed and scared about the
18 blowdown.

19 They closed due to the blowdown under
20 adverse atmospheric conditions, which kept the gas
21 close to the ground and everybody could smell it.

22 Second, the community that the compressor
23 station is nested in. They don't want the public to
24 know that the compressor station is in their community.

25 They do not want their property values to

1 go down, so they do not become very public about it.

2 Third, Dominion Power seems to, like,
3 have blackmailed the community in a way, in this --
4 Loudoun County. They wanted to expand the compressor
5 station, but there were also some safety features that
6 they were going to put into the -- onto the compressor
7 station, including sound barriers, only unless the
8 compressor station expansion was approved.

9 So there's so many instances when
10 Dominion is not a good neighbor. Thank you.

11
12 MR. LANGFORD: Thank you, ma'am.

13
14 MS. BERNDT: Susan Larsen.

15
16 MS. LARSEN: Good afternoon, members of
17 the community and DEQ staff. My name is Susan Larsen,
18 and I am here to speak on behalf of Columbia Gas of
19 Virginia where I am employed as Director of Business
20 Policy.

21 Columbia Gas is a growing local
22 distribution company, and we serve 265,000 residential
23 and business customers across the state of Virginia in
24 98 communities.

25 And Columbia and its predecessor

1 companies have served Virginia for over 160 years, and
2 we employ 400 Virginians across the state.

3 The Buckingham Compressor Station, as you
4 know, is an integral component of the Atlantic Coast
5 Pipeline. A project that will help relieve capacity
6 constraints on our system as well as constraints on
7 other local distribution companies.

8 The Atlantic Coast Pipeline will increase
9 accessibility to domestically-produced,
10 economically-priced, clean energy for our
11 customers, and reliability -- and for increased
12 reliability to our existing customers as well.

13 It will also allow Columbia Gas to serve
14 our new customer in Buckingham County, the Kyanite
15 Mine.

16 We are encouraged by Dominion's
17 commitment to protecting our natural resources and for
18 working with stakeholders to protect the local
19 environment and the community.

20 In addition, as we heard this morning,
21 DEQ has been thorough and complete in reviewing the
22 Atlantic Coast Pipeline's potential environmental
23 impacts.

24 Columbia Gas strongly believes that the
25 construction of the Atlantic Coast Pipeline will

1 provide a number of tangible benefits including
2 increased access to clean energy, jobs and economic
3 development.

4 Further, we are convinced that the
5 Atlantic Coast Pipeline can be constructed and operated
6 in a manner that fully protects the Commonwealth's
7 valuable air and other natural resources, and Columbia
8 urges you to approve the air permit. Thank you.

9
10 MR. LANGFORD: Thank you, ma'am.

11
12 MS. BERNDT: The last group of speakers.
13 Maxine Carey, Laura Hill, Kenda Hanuman, Michel Zajur,
14 Tanesia Hamilton, and Paul McCormick. First up is
15 Maxine Carey. All of these are three minutes a piece.

16
17 MS. CAREY: All of you have the power to
18 deny this permit and to restore health to the people of
19 Union Hill and Buckingham County.

20 All of you know full well the very real
21 impacts this compressor station will have on human
22 lives, and so does Dominion.

23 You all know full well that this
24 compressor station will disproportionately affect
25 communities of color. There is no reason to approve

1 this permit simply for profit and convenience sake.

2 Stand with the people who build up our
3 communities and protect them. Don't choose corporate
4 greed over human lives.

5 Put yourselves into the shoes of the
6 people whose reality is going to be becoming breathing
7 in poison for the rest of their lives. Don't approve
8 this compressor station at the expense of other people.

9 It is in your best interests to listen to
10 the marginalized voices who are being directly impacted
11 by your decision. It's your responsibility to do the
12 right thing. Do your job. Thank you.

13
14 MR. LANGFORD: Thank you.

15
16 MS. BERNDT: Laura Hill. Laura Hill last
17 call. Kenda Hanuman.

18
19 MS. HANUMAN: Good evening. Thank you
20 for this opportunity to share the impact that the
21 proposed compressor station has already had on the
22 health of the residents.

23 I'm Kenda Hanuman, and I live in the
24 Yogaville community, approximately 5 miles downwind
25 of the 68 acres purchased for the 55,000-horsepower

1 industrial facility.

2 A standing-room only meeting in my living
3 room four years ago began the community's effort to
4 protect our environment from the destructive effects of
5 the Atlantic Coast Pipeline.

6 I'd like to share several examples of the
7 costs to the health of those landowners since the
8 gathering in that room from the stress of dealing with
9 this proposed ACP infrastructure.

10 The first one is a veteran with severe
11 PTSD. He sold his custom-built home and his property
12 and moved across the country.

13 The couple living next door to the vet
14 who were building their 4 to 600,000 log home listed
15 with a real estate agent and divorced.

16 A dairy farmer, who you heard about
17 tonight, less than a mile from the compressor site,
18 filed a lawsuit against the Board of Supervisors and
19 has dropped out of site.

20 Chad Oba, the chairperson for the County
21 of Buckingham and a Union Hill resident, has suffered
22 recurring pneumonia and shingles. My neighbor, who was
23 our recorder at that first meeting, sold her home and
24 moved to Michigan.

25 I sold my home and significantly

1 downsized to allow myself the time and the energy to
2 volunteer in the often full-time work to protect our
3 homes, health and environment.

4 We began meeting at the Union Hill
5 Baptist Church and working with Pastor Paul Wilson and
6 the congregation and community members, fostering
7 friendships in support for their protection from this
8 toxic threat of this huge compressor station in their
9 neighborhood.

10 As support from the NAACP and growing
11 state and national attention brought the environmental
12 justice issue of this compressor station location into
13 the public awareness. Dominion contracted with the
14 former Virginia agricultural secretary, a local
15 landowner, to influence the community to accept money
16 for local projects and stop opposing the compressor
17 station.

18 The result has been community division,
19 disruption and stress. Please do not allow these
20 citizens to be sacrificed for corporate greed.

21 I ask that you deny this air permit for
22 ACP's Buckingham Compressor Station. Thank you.

23
24 MR. LANGFORD: Thank you, ma'am.

1 MS. BERNDT: Michael Zajur.

2
3 MR. ZAJUR: My name is Michael Zajur.

4 I'm the President and CEO of the Virginia Hispanic
5 Chamber of Commerce.

6 As the leading advocacy group for
7 Hispanic-owned businesses in Virginia, our chamber
8 recognizes that providing safe, affordable energy to
9 Virginians is crucial and essential to the future of
10 energy security of the state, citizens and the economic
11 vitality.

12 The development of the Atlantic Coast
13 Pipeline will provide Virginia with safe and
14 sustainable measures of transporting cleaner natural
15 gases as the Commonwealth energy needs ultimately grow.

16 It is for this reason Virginia Hispanic
17 Chamber of Commerce is asking for approval of the
18 Buckingham CS permit.

19 Plans for the pipeline have been
20 reviewed, dissected for years by multiple federal,
21 state and local agencies. In every step through the
22 procedure, Dominion and partners have gone above and
23 beyond the efforts to mitigate the issues and rectify
24 concerns.

25 In fact, the level of scrutiny to this

1 day has been unprecedented in regards to the high
2 standards applied to this project.

3 There's no way that the Virginia Hispanic
4 Chamber of Commerce or myself would be in favor of this
5 if it was -- if we felt it was unsafe or hurt the
6 environment.

7 Virginia needs to protect and meet the
8 growing needs of the -- the energy needs of millions of
9 homes and businesses. I appreciate the opportunity to
10 speak here.

11 And the Virginia Hispanic Chamber of
12 Commerce is in favor of this -- approval of the
13 Atlantic Coast Pipeline. Thank you very much.

14
15 MR. LANGFORD: Thank you, sir.

16
17 MS. BERNDT: Tanasia Hamilton.

18
19 MS. HAMILTON: I would like to start by
20 saying how disgusted I am with every person who has
21 came up here and told blatant lies to everyone in this
22 room by even hinting that this compressor station won't
23 have adverse effects on the Buckingham community.

24 By approving this permit, you are
25 allowing Dominion to build a ticking time bomb in the

1 backyard of a community of descendants of freed slaves.

2 Next year will mark the 400th year since
3 the first enslaved person touched this soil, and for
4 400 years, the black community has been spat on,
5 brutalized and murdered.

6 And this pipeline and compressor station
7 is no different from that history of violence.

8 Approving this permit is to say you don't care about
9 the declining livability of this planet.

10 Approving this permit is to say you don't
11 care about any of our futures just because you won't be
12 the first ones to feel the pain of environmental
13 devastation.

14 By approving this permit, you are saying
15 what every pro-pipeline Dominion crony hasn't said,
16 which is that you hate the black community and you
17 don't care if they die as long as you benefit.

18 By approving this permit, the blood of
19 the Buckingham community is on your hands. Every
20 single one of you that say yes to this permit will be
21 an accessory in the murder of -- in the murder of an
22 entire community.

23 It's not a mystery why Dominion, a
24 company headed by capitalist, white-supremist fascists,
25 chose the Buckingham community to put this compressor

1 station.

2 They trust that you won't care about this
3 community because this is predominantly black
4 lower-income folks.

5 Prove them wrong. Deny the permit. Deny
6 the pipeline. Deny the continuation of white violence
7 against the communities of color.

8 And no, this is not me begging you
9 because I will lay my life and freedom on the line to
10 defend the community of Buckingham from this pipeline
11 because they deserve to live free from extraction, free
12 from violence. They deserve to live free. Thank you.

13
14 MR. LANGFORD: Thank you. No applause.
15 Last?

16 MS. BERNDT: Paul McCormick.

17
18 MR. MCCORMICK: Good afternoon. I am
19 Paul McCormick from the International Union of
20 Operating Engineers, Pipeline Department, helping
21 represent thousands of members.

22 As with any new change in localities,
23 there are apprehensions on how it may or may not effect
24 and/or change things locally and regionally.

25 The EPA has national standards that must

1 be adhered to, and the DEQ has a permit process and
2 standards that they follow also.

3 These must be applied for, with T's
4 crossed, I's dotted, and criteria submitted with
5 verified proof for review of the permit process.

6 The air quality permit we are here today
7 to speak about has the criteria that had to be answered
8 and verified.

9 There have been changes with this permit
10 to comply with and/or exceed the standards. The
11 exceeded environmental standards that will be
12 implemented by Dominion for this project will protect
13 the Commonwealth's environment and air quality.

14 I personally, and our organization, could
15 not and would not support this project if we were not
16 confident of this.

17 The DEQ and the State Air Quality Board,
18 through its due diligence and thorough review of
19 criteria submitted in the permit, has done an excellent
20 job verifying and going through the facts and
21 requirements for this project.

22 In this extensive review process, you
23 have asked for clarification and revisions, and
24 Dominion has, with no hesitation, provided them.

25 They will -- I should clarify that.

1 Dominion will be good neighbors and stewards of the
2 local and regional environment and air quality for the
3 Commonwealth.

4 Again, I thank you for your due diligence
5 through this review process of the facts for this
6 project, and I ask you to approve this permit. Thank
7 you.

8
9 MR. LANGFORD: Thank you, sir. That's
10 all. We've come to the end of the people who had
11 signed up to speak. This meeting is in recess
12 until 9:30 tomorrow morning.

13 (Whereupon, proceedings adjourned at
14 5:03 p.m.)
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1 CERTIFICATE OF COURT REPORTER

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3 I, Bria L. Pintado, hereby certify that I
4 was the Court Reporter at the Board meeting of the AIR
5 POLLUTION CONTROL BOARD, PROPOSED ARTICLE 6 PERMIT FOR
6 THE ATLANTIC COAST PIPELINE, BUCKINGHAM COMPRESSOR
7 STATION, heard in Richmond, Virginia, on November 8th,
8 2018, at the time of the Board meeting herein.

9 I further certify that the foregoing
10 transcript is a true and accurate record of the
11 testimony and other incidents of the Board meeting
12 herein.

13 Given under my hand this 20th day of
14 November, 2018.

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17 Bria L. Pintado
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